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AGENDA

Committee	CONSTITUTION COMMITTEE
Date and Time of Meeting	WEDNESDAY, 25 OCTOBER 2017, 5.00 PM
Venue	COMMITTEE ROOM 4 - COUNTY HALL
Membership	Councillor Goodway (Chair) Councillors Berman, Burke-Davies, Carter, Ebrahim, Keith Jones, Goddard, Jones-Pritchard, Kelloway, McEvoy, McKerlich and Wong

1 Apologies

To receive apologies for absence.

2 Declarations of Interest

To be made at the start of the agenda item in question, in accordance with the Members' Code of Conduct.

3 Minutes (Pages 1 - 4)

To approve as a correct record the minutes of the meeting 31 August 2017.

4 Review of the Constitution (Pages 5 - 118)

Report of Director of Governance and Legal Services

5 Committee Forward Work Plan (Pages 119 - 124)

Report of the Director of Governance and Legal Services

6 Date of next meeting

Provisional date – Monday 27th November 2017.

Davina Fiore

Director Governance & Legal Services

Date: Thursday, 19 October 2017

Contact: Andrea Redmond, 02920 872434, a.redmond@cardiff.co.uk

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CONSTITUTION COMMITTEE

31 AUGUST 2017

Present: County Councillor Goodway(Chairperson)
County Councillors Berman, Burke-Davies, Carter, Keith Jones,
Jones-Pritchard, Kelloway, McKerlich and Wong

1 : CHAIRPERSON

Noted that Council at its meeting on 29 June 2017 elected Councillor Goodway as Chair of the Constitution Committee for the Municipal Year 2017/18.

2 : MEMBERSHIP AND TERMS OF REFERENCE

Noted that Council at its Annual Meeting on 25 May 2017 agreed the following Membership and Terms of Reference: -

Membership

Councillors Jennifer Burke-Davies, Rodney Berman, Joe Carter, Saeed Ebrahim, Susan Goddard, Russell Goodway, Keith Jones, Mike Jones-Pritchard, Kathryn Kelloway, Neil McEvoy, Rod McKerlich and Peter Wong.

Terms of Reference

To review the Council's Constitution, and to recommend to Council and/or Cabinet any changes, except that the Committee will have authority (subject to the Monitoring Officer's advice) to make the following changes on behalf of the Council:-

- (a) Drafting improvements to enhance clarity and remove minor anomalies.
- (b) Updating to reflect legislative changes and matters of record.
- (c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought).

3 : APOLOGIES

Apologies were received from Councillor Ebrahim.

4 : DECLARATIONS OF INTEREST

No declarations of interest were received.

5 : MINUTES

The minutes of the last meeting of the Committee in the previous administration held on 2 March 2017 were noted.

6 : MEMBERS' ROLE DESCRIPTIONS - MEMBER CHAMPIONS

The Cabinet, at its meeting in July 2017, noted the WLGA Member Champion Role Description adopted by Council in October 2015 and recommended that Constitution

Committee be asked to consider incorporating this within the Constitution in order to clarify the role and responsibilities of Member Champions.

The Committee was asked to consider this recommendation and whether to also incorporate into the Constitution the Council's approved role descriptions for any other Member roles.

The Chairperson referred to discussions with the Leader of the Council and other Group Leaders and Whips around establishing specific Member Champions and an alternative suggestion of establishing all-party topical Groups, which would have an elected Chair. The Groups would be self-sufficient and meeting at least 3 times in a municipal year and report to Full Council.

The Chairperson proposed that if Committee were content then a report could be developed for the next meeting.

RESOLVED – That Director of Governance & Legal Services give consideration to the governance arrangements for establishing all-party group/s to look at key themes within the Councils corporate and service priorities and prepare a report for consideration at a future meeting of the Committee. .

7 : COUNCIL 25 MAY 2017 : REFERENCE BACK TO THE CONSTITUTION
COMMITTEE OF PROPOSED CHANGES TO THE COUNCIL
PROCEDURE RULES

Members were advised that Annual Council on 25 May 2017 received the recommendations of the Constitution Committee 2 March 2017 on the proposed amendments to the Council Procedure Rules. The report was referred back to the Constitution Committee in accordance with Council Procedure Rule 25 (a) (iv) to allow the new Committee and Councillors to make a decision on the proposed changes.

The Chairperson advised of initial discussions with the Leader of the Council and a subsequent meeting with Group Leaders and Whips. There had been agreement that changes needed to be made; there was an appetite for a new structure in Council and curtailing the participation of the Cabinet and allowing more time for back-bencher participation to inform decisions.

It was considered that Party Groups should meet to develop a consensus on changes. If there was a consensus some changes could be implemented at an early stage with the main changes being implemented by the Annual General Meeting in April 2018.

Members discussed the various proposals such:

- the number of meetings per year;
- start time of meetings;
- second supplementary oral questions;
- number of oral questions;
- allocation of Motions;
- proposal for a lists of speakers in advance of meeting;
- invitation to external speakers;
- whether Council should be the forum for considering Call-In's; and
- the future scrutiny committee arrangements.

The Chairperson stated that there was a current desire for greater inclusivity of Members outside of the Cabinet; giving more space on the Council Agenda for the minority party and the minority views from within the majority party, to influence the direction of the Council.

The Director of Governance and Legal Services stated that with regards to Call-In's, Scrutiny has to consider these; under the Local Government Act there are separate functions, Council could debate the topic of the Call-In but scrutiny would have to make the decision.

The Committee was reminded of the current position in relation to scrutiny committees and funding arrangements.

The Chairperson indicated that there would be a need for regular meetings to work on revised Council procedures and suggested that the Committee meet once a month up until Christmas. The Director of Governance and Legal Services advised that timescales and resources would be dependent on how radical the changes would be.

Members asked that for the October Constitution Committee, it would be useful to have sight of Core Cities Council Agendas, how their Council meetings are organised and best practice.

RESOLVED – That

1. a date be established for an October meeting of the Constitution Committee;
2. the Chairperson arrange a follow up meeting with Leaders and Whips;
3. a report be prepared for the October meeting which includes examples of agendas from the Core Cities and comparable Welsh authorities;
4. the Director of Governance & Legal Services arrange for a consultation document on any proposed improvements to the Council Procedure Rules for discussion at Group meetings ahead of the October meeting of the Committee.

8 : FREQUENCY OF MEETINGS AND WORK PLAN

Members discussed establishing more frequent meetings of the Constitution Committee over the next few months to drive forward changes to the Council Procedure Rules.

Members were advised that Scrutiny Chairs would like Constitution Committee to look at issues such as Call-In and whether Call-In requests are allowed or disallowed; this could be an issue for a future Committee meeting.

RESOLVED – That a work plan be prepared for consideration at the next meeting of the Committee.

The meeting terminated at 5.45 pm

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**CYNGOR CAERDYDD
CARDIFF COUNCIL****CONSTITUTION COMMITTEE:****25 OCTOBER 2017**

**REPORT OF THE DIRECTOR OF GOVERNANCE AND LEGAL
SERVICES AND MONITORING OFFICER**

REVIEW OF THE CONSTITUTION**Reason for this Report**

1. To provide an opportunity for the Committee to consider potential areas of change to the procedure rules for meetings of full Council, and other areas of the Constitution.

Background

2. The Council's Constitution sets out the fundamental principles on which the Council is governed. It includes information on how the Council operates, how lawful decisions are made and the procedures to follow to ensure that the Council conducts business efficiently and is transparent and accountable to local people.
3. The current Constitution first came into effect in May 2002 to take account of the requirements of the Local Government Act 2000, which separated the functions of Executive and Scrutiny from Council functions. Since this time it has been periodically reviewed and amended to reflect changes agreed by Council, legislative updates and other minor amendments.
4. The business of the Council is diverse and the Constitution needs to take account of this to ensure governance arrangements for relevant activities are appropriately covered. It is currently divided into eight parts with fifteen articles, and more detailed procedures and codes of practice.
5. The Constitution Committee has responsibility, in accordance with its approved terms of reference, for reviewing the Constitution and recommending any changes to full Council for approval.
6. Since the election of the new Administration, the Chair of the Constitution Committee has had initial discussions with the Leader of the Council and met with Group Leaders and Whips to discuss constitutional arrangements, primarily the Council Meeting Procedure Rules, and possible changes for consideration by the Committee. It has been suggested that changes should be introduced to meetings of full Council to allow more opportunities for opposition Members and backbench members of the leading group to influence the direction of Council.

7. At its last meeting (on 31st August 2017), the Committee considered a report on proposed changes to the Council Meeting Procedure Rules proposed by the previous Committee and referred back to this Committee by the Annual Council meeting. The Committee agreed to receive a report providing examples of Council agendas from other Core Cities and comparable Welsh authorities; and instructed the Director of Governance and Legal Services to arrange for consultation with party groups on potential changes to the Council Meeting Procedure Rules. This report provides the Committee with information on work undertaken following the last Committee meeting.

Issues

Council Meeting Procedure Rules

8. A Consultation Document, setting out key issues and questions in relation to meetings of the full Council has been circulated to Party Groups, as requested by the Committee, and is attached as **Appendix A**. For Members reference, a copy of the current Council Meeting Procedure Rules is attached as **Appendix B**. The feedback from Party Groups will be reported at the Committee meeting.
9. Members are invited to provide their views on the broad themes and specific questions set out in the Consultation Document appended at **Appendix A**.
10. In order to allow sufficient time for proposals to be researched and drafted, and discussed with party groups prior to approval, it is suggested that any substantial proposed changes to the Council Meeting Procedure Rules should be implemented from the Annual Council Meeting in May 2018. However, more minor changes may be implemented straight away, if this is agreed. One such change is the removal of the second supplementary oral question (Council Meeting Procedure Rule 17(d)). This change may be recommended to full Council with immediate effect.
11. As the time available for Council meetings is limited, and in order to avoid creating offence by refusing individual members the right to speak, members may also wish to consider whether to cease the practice of presenting eulogies at Council meetings, and to simply receive an announcement from the Lord Mayor. This is currently a matter for the discretion of the Lord Mayor, but it is recommended that express provision for eulogies be included in the procedure rules.
12. In considering arrangements for Council meetings, Members asked for examples of Council agendas from various other Core Cities and comparable Welsh authorities. These are set out in **Appendix C** (specifically, Birmingham, Bristol, Glasgow, Leeds, Nottingham, Newport, Swansea and Wrexham). Members should note that individual Councils will have adopted full Council meeting arrangements to suit their particular political composition and local requirements and preferences; and that only limited information about the arrangements in each authority can be

gleaned from looking at the agenda from one particular meeting. For Members' information, the political composition of the various benchmarked authorities is set out in **Appendix D**.

Recording / Filming of Council Meetings

13. Members are also recommended to review Cardiff's rules regarding filming of Council meetings. The current rules refer to the official webcasting of Council meetings and prohibit any other recording of the meeting without the express authorisation of the meeting (Council Meeting Procedure Rules, Rule 32). This prohibition runs contrary to the openness and transparency now expected of local government and the increasing use of modern digital communication methods. The Welsh Government's statutory guidance to local authorities (set out in the Code of Recommended Practice on Local Authority Publicity in Wales, August 2014, paragraph 54) urges local authorities to look favourably on public recording and broadcasting of Council meetings, provided those attending the meeting are aware this is happening and other members of the public are not distracted or unduly disturbed by it. (In England, members of the public have a statutory right to make recordings of public Council meetings, pursuant to the Openness of Local Government Bodies Regulations 2014). It is recommended that the Committee's review of the Council Meeting Procedure Rules should include making provision for public filming and recording of Council meetings, including any necessary supporting arrangements such as giving notice to all persons attending the meeting. Similar changes should also be considered in respect of meetings of Committees, as the Committee Meeting Procedure Rules, Rule 18, contain parallel provisions.

Questions to Cabinet Members

14. In addition to matters relating specifically to meetings of full Council, the Committee will note that the Consultation Document (**Appendix A**) refers to other associated issues, such as the option of allowing public questions at Cabinet meetings. Another suggestion which Members may wish to consider is to provide a separate session, outside of full Council, for questions to the Leader.

Cross-Party Member Working Groups

15. Members will recall that at the last Committee meeting, when considering the constitutional provision for Member Champions, it was suggested that consideration should instead be given to establishing cross-party member groups to look at specific issues within the Councils corporate and service priorities. Such groups would have no formal decision making powers, but may, if they wish, make suggestions or recommendations by letter to a relevant Cabinet member or Committee Chair. All parties, including independent Members, must be invited to take part in any such working groups, but the procedure and regulation of such meetings would be a matter for Members. Members should note that officer support for such

meetings would need to be limited, due to resource constraints, to booking rooms for meetings, and would not cover clerking of such meetings.

Ward Member Consultation

16. Arrangements for ward member consultation have also been identified as an area for review, arising from complaints received from local Members who had not been consulted on significant issues affecting their ward. The Scheme of Delegations currently refers to there being an obligation on officers to keep Members properly informed of activity arising within the scope of officer delegations. However, the Constitution contains no further rules, guidelines, or protocols on this issue. It is therefore proposed that requirements for consultation with ward members on significant issues affecting their wards should be enshrined in the decision making processes within the constitution.
17. It is recommended that an amendment be made to the Scheme of Delegations, Officer Delegations, Section 4A, to incorporate provisions such as:

'When taking, or considering taking, delegated decisions all officers must have regard to the following questions:

- Does the decision involve significant expenditure to the service budget, or wider Council budget?
- Does the decision affect the reputation of the service and/or Council?
- Is the decision significant with regard to one or more wards?
- Does the decision carry a significant risk to the service or wider Council?
- Does the decision impact reputationally or financially on service users, partner organisations or committees outside the Council?

Officers must consider the above and, depending upon the level of significance, prepare a delegated officer decision using the pro forma, which may be presented to the relevant Cabinet member to consult with them on the decision (this can be done via email).

If the matter impacts specifically on one or more wards (i.e. it is a local issue rather than council wide) *and* it is considered to be significant then the officer should consult ward member(s) (and consider the need to consult with any relevant Community Council).

For highly significant or sensitive matters, officers must consider, in consultation with the relevant Cabinet member, whether in fact a Cabinet report should be prepared instead and the matter entered on the Cabinet Forward Plan.

Day to day routine management decisions do not need to be subject to formally recorded decision procedures.'

18. The Committee may wish to seek the views of the Cabinet on any such proposed amendment, prior to approval by the Committee (and full Council).

Scrutiny Functions

19. A recommendation has been made by the scrutiny chairs to amend the current Call-In rules in relation to matters which have been subject to pre-decision scrutiny. The recommendation is that in such cases, call-in of a decision should only be permitted if there is significant and relevant new or additional information which has not been previously considered by the relevant Scrutiny Committee, so as to avoid unnecessary duplication of work already undertaken. It is recommended that the Monitoring Officer be asked to prepare a report on the necessary amendments to the Scrutiny Procedure Rules for approval by Committee.
20. Under Cardiff's current rules, an Executive decision may be called-in by any non-Cabinet Member. A number of authorities require a call-in request to be supported by more than one Member and some authorities require the request to have cross-party support. Members may wish to consider reviewing Cardiff's rules in this regard.
21. The Wales Audit Office (WAO) is about to commence a national themed review of Cardiff's scrutiny function, 'Scrutiny – Fit for the Future'. The draft project brief is attached as **Appendix E**. Members will note that the purpose of the review is to consider how Councils are responding to current challenges, including the Well-being of Future Generations Act and scrutiny of public service boards. It will also examine how well placed the Council is to respond to future challenges including continued pressure on public finances and possible moves towards more regional working between local authorities; and review progress made in addressing WAO's earlier recommendations. Any recommendations relating to constitutional issues which may arise from WAO's review will be reported to the Constitution Committee for consideration in due course.

Other Constitutional Issues

22. Members are invited to provide views on any other areas they would like the Constitution Committee to consider as part of this review. This work will need to be programmed into the Committee's Forward Plan by the Monitoring Officer, allowing sufficient time for proposals to be developed, approved and implemented, having regard to time and resources available.

Legal Implications

23. By virtue of article 14 of the Constitution the making of amendments to the Constitution is reserved to Council unless otherwise delegated. The Committee's terms of reference set out the Committee's delegated authority:

To review the Council's Constitution, and to recommend to Council and/or Executive any changes, except that the Committee will have authority (subject to the Monitoring Officer's advice) to make the following changes on behalf of the Council:-

- (a) Drafting improvements to enhance clarity and remove minor anomalies.*
- (b) Updating to reflect legislative changes and matters of record.*
- (c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought).*

24. Any amendments to the Constitution that may be proposed as a result of the review and which do not fall within the above remit will require the approval of full Council.

Financial Implications

25. There are no financial implications arising from the report

RECOMMENDATIONS

The Committee is recommended to:

1. recommend to Council the removal of provision for a second supplementary question at Council meetings (Council Meeting Procedure Rules, Rule 17(d), with immediate effect;
2. provide views on the issues and areas of the Constitution which the Committee wishes to amend or review;
3. delegate authority to the Monitoring Officer, in consultation with the Chair, to submit any agreed changes to full Council for approval; and
4. request the Monitoring Officer to prepare further reports on any other potential changes (with reference to the issues identified under Recommendation 2 above) for consideration by the Committee at a suitable future meeting.

DAVINA FIORE
DIRECTOR OF GOVERNANCE AND LEGAL SERVICES AND MONITORING OFFICER

17 October 2017

APPENDICES:

- APPENDIX A: Consultation Document 'Review of Council's Constitution'
- APPENDIX B: Council Meeting Procedure Rules
- APPENDIX C: Examples of Agendas from Other Core Cities and Comparable Welsh Authorities
- APPENDIX D: Table showing political composition of the benchmarked authorities included in Appendix D.
- APPENDIX E: Wales Audit Office, 'Overview and Scrutiny – Fit For the Future? The City of Cardiff Council'
Audit year: 2017-18
Date issued: September 2017
Document reference: 128A2017-18

Background papers

Constitution Committee meeting 31st August 2017, draft minutes
Welsh Government's Code of Recommended Practice on Local Authority Publicity in Wales, August 2014

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REVIEW OF COUNCIL CONSTITUTION

WHY?

- Improve significance of meetings
- Make Full Council meetings more meaningful
- Increase the number of debates on policy matters
- Create an improved platform for non-executive members to contribute to policy development
- Increase back-bench contributions in debates
- Make better use of time available/more manageable
- Make best use of council resources.

HOW?

- Restructure agenda
- Create clear distinction between executive & non-executive business
- Executive to agenda more policy proposals for debate
- Set aside specified time for opposition business
- Limit contributions of Cabinet Members (other than leader and/or deputy leader) to portfolio responsibilities

CABINET BUSINESS

- Cabinet to bring forward Green Paper/White Paper proposals for debate
- Create mechanism for capturing alternative proposals
- Written Statements on important policy proposals to be issued throughout the cycle
- Written Statements to be circulated with Summons and question on statements to be limited
- Oral statements restricted to the most significant policy Proposals

NON-CABINET BUSINESS

- Create more opportunities for minority parties and for non-executive members of majority party
- Set aside specific time for opposition debates
- Consider a ballot for “private-member” motions and agree criteria for a motion to get on council agenda

COUNCIL QUESTIONS

- Increase use of written questions
- Ward specific issues be dealt with by way of written questions only (with caveats)
- Reduce time allocated for oral questions/reduce number of written questions
- Get rid of second supplementary question
- Re-visit formula for allocating questions to party groups (eg take executive out of the calculation)
- A separate, additional meeting for oral questions/ questions on statements

COUNCIL MOTIONS

Reduce the number of motions at each meeting (max 2 – 1 opposition; 1 Member)

Re-visit formula for allocating motions to party groups (Cabinet proposals to be regarded as part of majority party allocation)

Groups to provide names of members they want called first in debates & limit number in advance

Priority be given to nominated party spokespersons

Cabinet Member or Assistant Cabinet Member to respond to each motion

Create mechanism to allow groups to remit motions to Cabinet

OTHER ISSUES

Earlier start time for meetings

Introduce time limit on meetings

A guillotine for unfinished business to be put to vote

Non-contentious Cabinet business to be taken at the end of the meeting

Take public questions at Cabinet meetings

Leave things as they are now

ANY OTHER SUGGESTIONS?

PART 4 – RULES OF PROCEDURE

COUNCIL MEETING PROCEDURE RULES

Part 1 – Format and Content of Meetings

1 BUSINESS OF COUNCIL MEETINGS

- (a) The agenda and timings for items of business for any Council Meeting shall be agreed by the Chair in consultation with the Leader at least 6 Working Days prior to the date of the Council meeting.
- (b) The Chair may make any amendments to the draft agenda as they see fit.

2 ANNUAL MEETING OF THE COUNCIL

Timing of the Annual Meeting

- (a) The Annual Meeting will take place within the following periods:
 - (i) in a year when there is an ordinary election of Members, within 21 days following the retirement of the outgoing Members; or
 - (ii) in any other year, the Annual Meeting will take place in March, April or May or as may be required at law.

Business to be transacted at the Annual Meeting

- (b) The Annual Meeting will:
 - (i) elect a person to preside at the meeting if the existing Chair or the Deputy Chair is not present;
 - (ii) elect the new Chair;
 - (iii) appoint the new Deputy Chair;
 - (iv) approve the minutes of the last meeting;
 - (v) receive declarations of interests from Members;
 - (vi) receive from Members the Cardiff Undertaking in years where an ordinary election has taken place;
 - (vii) receive any announcements from the Chair (if any);
 - (viii) elect the Leader (where such election falls due);
 - (ix) appoint members of the Cabinet (where such election falls due);
 - (x) receive announcements from the Leader (if any) relating to the coming municipal year;
 - (xi) decide on any amendment to the standing committees of the Council, including amendments to their size and terms of reference;
 - (xii) decide on the allocation of seats on committees to political groups in accordance with the requirements of the Local Government and Housing Act 1989;

- (xiii) receive nominations of members to serve on each of the standing committees and make such appointments;
- (xiv) receive nominations and make appointments to serve on the outside bodies to which the Council may appoint members (except where doing so has been delegated by the Council or where only the Cabinet has authority to do so);
- (xv) elect a chair and a deputy chair for each of the committees;
- (xvi) approve a Scheme of Members Allowances;
- (xvii) approve a programme of ordinary meetings of the Council for the year;
- (xviii) approve a provisional programme of ordinary meetings of committees;
- (xix) agree any changes, amendments or revisions to the Council's scheme of delegation;
- (xx) for any year in which an ordinary election has taken place, receive a report from the Returning Officer of the Members elected; and
- (xxi) consider other matters which the Chair has certified urgent or appropriate.

3 ORDINARY MEETINGS

(a) Ordinary Meetings of the Council will take place in accordance with a programme decided at the Council's Annual Meeting. Ordinary Meetings will:

- (i) elect a person to preside if the Chair and Deputy Chair are not present (such person not being a member of the Cabinet);
- (ii) approve the minutes of the last meeting;
- (iii) receive any declarations of interest (in accordance with the Members Code of Conduct);
- (iv) if relevant, receive through the Chair from relevant Members the Cardiff Undertaking;
- (v) receive any petitions;
- (vi) receive questions from the public and answers in accordance with Rule 18;
- (vii) receive any announcements from the Chair or Leader;
- (viii) receive any reports from the Council's Committees introduced by the relevant Committee chairperson, and deal with questions and answers on any of those reports;
- (ix) receive reports from any of the Council's statutory officers;
- (x) receive any reports about and any questions and answers on the business of joint arrangements and external organisations;
- (xi) consider Ordinary Motions;
- (xii) receive any statements or reports from the Leader and/or Cabinet Members and questions and answers on them;
- (xiii) receive Member questions and answers raised in accordance with Rules 16 and 16;
- (xiv) consider any other business in the summons to the meeting; and
- (xv) consider such other matters as the Chair certifies as urgent or appropriate.

4 EXTRAORDINARY MEETINGS

(a) An Extraordinary Meeting of the Council may be called by:

- (i) the Council by resolution; or
- (ii) the Chair.

(b) The following persons may require the Chair to call an Extraordinary Meeting of the Council. If the Chair has not called a meeting (to be held within 10 Working Days of the request) within two Working Days of receipt of such a written request, then they may do so themselves:

- (i) the Leader;
- (ii) the Head of Paid Service;
- (iii) the Monitoring Officer or section 151 officer; or
- (iv) any five Members of the Council.

(c) Any request presented in accordance with this Rule must:

- (i) specify the business to be transacted at the meeting; and
- (ii) be accompanied by a copy of any report for the meeting.

(d) Any Extraordinary Meeting will:

- (i) elect a person to preside if the Chair and Deputy Chair are not present;
- (ii) receive any declarations of interest from Members;
- (iii) consider the business specified in the request; and
- (iv) consider such other matters as the Chair considers to be urgent or appropriate.

(e) For the avoidance of doubt, the business to be transacted at an Extraordinary Meeting may include one or more Ordinary Motions pursuant to Rule 22, subject to variation of the deadline specified in Rule 22(b) as follows:

the words “by 5.00 pm at least 7 Working Days before the date of the meeting” shall be substituted with the words “at the same time as the request for the meeting is presented under Rule 4(b).”

5 TIME AND PLACE OF MEETINGS

(a) The time and place of meetings will normally be determined by the Council or in the case of an Extraordinary Meeting by the Chair. In the case of meetings called under Rule 4(b) the time and place shall be set by the Proper Officer and notified in the summons.

(b) The Proper Officer may in case of urgency or at the request of the Chair vary the date, time and place of meetings, subject to reasonable notice of the change having been given.

6 NOTICE OF AND SUMMONS TO MEETINGS

- (a) The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules.
- (b) At least 3 clear days (as required and defined by the relevant legislation and case law) before a meeting, the Proper Officer will send a summons (notice of meeting) by email to every Member. Any Member not wishing to receive the summons by email may request (in writing to the Proper Officer) such other reasonable method of delivery as they may wish.
- (c) The summons will give the date, time and place of each meeting, enclose the agenda and will be accompanied by such reports as are available.

Part 2 – Conduct of Meetings

7 CHAIR OF MEETING

Power of person presiding at meeting

- (a) The person presiding at the meeting may exercise any power or duty of the Chair.

Conduct of meeting by Chair

- (b) The Chair shall have discretion to conduct the meeting to secure proper, full and effective debate of business items. The steps the Chair may take include:
 - (i) allowing more time to any speaker or item of business;
 - (ii) permitting a Member to speak more than once;
 - (iii) allowing officers of the Council to advise the meeting as appropriate; and
 - (iv) refusing any Member the opportunity to speak or restricting their rights to speak.
- (c) The Chair's discretion provided for by Rule 7(b) shall operate in precedence to any other Rule contained in the Council Procedure Rules.

8 QUORUM

- (a) The quorum of a meeting will be one quarter of the whole number of Members (rounded up to the nearest whole number).
- (b) If fewer than the quorum attend the meeting or if during any meeting the Chair counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at the next meeting or a time and date fixed by the Chair.

9 UNOPPOSED BUSINESS

- (a) The Chair may specify in the Agenda any business that they consider to be unlikely to be opposed by any Member. For example this would include reports that deal with administrative matters and on which the various political groups have already reached agreement. All business specified in the Agenda as unopposed may be dealt with at the meeting as one agenda item and passed by one resolution.
- (b) If any Member wishes for any agenda item that is noted as being unopposed to be dealt with in the normal way, then that Member may request the Chair to remove that item from the list of unopposed business. In such circumstances the Chair will add that item of business to the agenda as a separate item.

10 POINT OF ORDER

- (a) A Member may raise a point of order at any time by indicating to the Chair that they wish to speak. The Chair will hear them immediately.
- (b) A point of order may only relate to an alleged breach of these Rules or the law. The Member must first state the Rule or law to which he/she is referring and then indicate the way in which they consider it has been broken.
- (c) The ruling of the Chair on the matter will be final. Points of order will only be recorded in the minutes if the Democratic Services Manager considers that such an inclusion would provide greater clarity to the minutes.

11 PERSONAL EXPLANATION

- (a) A Member may make a personal explanation at any time by indicating to the Chair that they wish to speak. A personal explanation may only relate to:
 - (i) some material part of an earlier speech by the Member in the present debate which may appear to have been misunderstood;
 - (ii) to reply to an allegation of misconduct made against the Member giving the explanation; or
 - (iii) to make an apology to the Council.
- (b) The ruling of the Chair on the admissibility of a personal explanation will be final.
- (c) Points of personal explanation will only be recorded in the minutes if the Democratic Services Manager considers that such an inclusion would provide greater clarity to the minutes.

12 DECLARATIONS OF INTEREST

- (a) A Member may at any time declare a personal interest under the Members' Code of Conduct and when a Member stands to make a declaration he/she shall be heard immediately and shall be allowed to make the declaration without interruption.

13 MEMBERS' CONDUCT

Members Speaking at Council

- (a) When a Member speaks at full Council they must address the meeting through the Chair and should stand (if able) when they are speaking. If more than one Member stands or otherwise indicates their desire to speak, the Chair will ask one to speak and the others must be quiet.
- (b) Other Members must remain seated whilst a Member is speaking unless they wish to make a point of order, a point of personal explanation or to declare an interest.

Chair calling the meeting to order

- (c) When the Chair calls the meeting to order or stands any Member speaking at the time must stop and sit down. The meeting must be silent.

Member's to maintain order

- (d) The Chair is to maintain order in meetings and must call to order any Member who:
 - (i) is engaging in conduct which the opinion of the Chair constitutes criminal behaviour or contempt of court;
 - (ii) is obstructing the business of the meeting;
 - (iii) seeks to raise a matter outside the scope of the matter at hand;
 - (iv) acts in a discourteous way;
 - (v) is using disorderly, discriminatory or offensive language;
 - (vi) refuses to conform to any Rule or other requirement for the conduct of Members; or
 - (vii) disregards the authority of the Chair.

Member not to be heard further or to leave the meeting

- (e) If a Member disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the Member be not heard further.
- (f) If the Member continues to behave improperly or offensively or deliberately obstructs business after such a motion is carried, the Chair may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period.

14 GENERAL DISTURBANCE

- (a) If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as he/she thinks necessary.

15 DISTURBANCE BY PUBLIC

- (a) Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules or Rule (b) below.
- (b) If a member of the public interrupts or disrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt or causes disruption, the Chair may order their removal from the meeting room.

Part 3 – Procedures and Rules of Debate

16 QUESTIONS AND DEBATE ON REPORTS AND CABINET STATEMENTS

- (a) On Cabinet Member Statements presented to the Council:
- (i) A Member may ask the person presenting the report any question or otherwise comment on the subject matter of the statement without notice. Following the Cabinet Members response to such questions, the Member asking the original question shall be allowed to ask a supplementary question to clarify the response to the question.
 - (ii) One minute shall be allowed for each of the question, answer, supplementary question and supplementary answer.
- (b) On Reports presented to the Council
- (i) The person presenting the report shall have 6 minutes to introduce it. A maximum of 3 minutes will be allowed to each Member to speak in relation to the report. 3 minutes will be allowed for the presenter of the report to make their closing remarks in response to points raised by other Members.

17 ORAL AND WRITTEN QUESTIONS BY MEMBERS

General

- (a) In accordance with this Rule 17, a Member may ask questions of:
- (i) the Leader or any Cabinet Member;
 - (ii) the chair of any committee or sub-committee; or
 - (iii) nominated members of the Fire Authority.

Submission of Questions

(b) A Member wishing to ask a Written Question should provide the question by email to the Council's mailbox for the submission of questions (as specified by the Democratic Services Manager). In doing so the Member must specify the person to whom the question is addressed.

(c) Oral Questions shall be submitted by (or on behalf of):

- (i) each of the spokespersons for each opposition political group recognised by the Council (or such other Member as the leader of that group may nominate); and
- (ii) a backbench Member of the ruling group(s) nominated to the Democratic Services Manager for such purpose;

by email to the Council's mailbox for the submission of questions (as specified by the Democratic Services Manager). In doing so the Member must specify:

- (i) the name of the Member asking each question; and
- (ii) the order in which the group wishes to ask its questions.

Each such person shall be entitled to submit a maximum of the number of questions that are allocated to their political group calculated in accordance with the following rules:

- (i) Each political group recognised by the Council shall automatically be entitled to 3 Oral Questions; and
- (ii) In addition, a further 15 Oral Questions shall be allocated amongst the political groups in proportion to their representation on the Council.

In addition any Members who are not members of any political group recognised by the Council shall be entitled to submit one Oral Question each. Unless those Members agree otherwise, the order in which they shall be entitled to submit questions shall be determined by rotation.

(d) Questions will be dealt with in accordance with the following procedures.

Oral Questions

Oral Questions will be dealt with in accordance with the following procedure:

Day	Action
12.00 noon, 2 Working Days prior to Council Meeting	Deadline for the Submission of Oral Questions
At Council Meeting questions shall be made available in writing and online at least 30 minutes prior to the start of the meeting and dealt with as set out opposite.	<p>A maximum of 90 minutes shall be allowed for Oral Questions, any questions that are not dealt with in this time limit shall fall.</p> <p>Each Oral Question will be made available in writing and online at the start of the meeting and dealt with in the following order:</p> <ul style="list-style-type: none"> - Oral Questions shall not be read orally, but will be dealt with in rounds. In the first three rounds each political group shall each be entitled to ask one question. In subsequent rounds, only political groups with remaining Oral Questions shall be entitled to ask questions. - In each round the ordering of the questions shall be determined by the size of each of the political groups (with the largest going first) except that the ruling group(s) shall go last. - Questions from Members who are not members of a political group recognised by the council shall be asked at the start of the fourth round. <p>Each question shall be answered orally by the Cabinet Member that the Cabinet deem most suitable to respond (or by the relevant chair of a committee or nominated member of the fire authority if the question was so addressed). A maximum of one minute shall be allowed for the answering of the question.</p> <p>The Member who submitted the question shall then be allowed one minute to ask a supplementary question.</p> <p>The person to whom the question is addressed shall have one minute to answer the supplementary question.</p> <p>One further supplementary question may be asked by another Member provided that the asker is not a member of the same political group as the Member who submitted the original question. The Member asking the further supplementary question shall be allowed one minute to ask it, and the response shall also be limited to one minute.</p>

Urgent Oral Questions

- (e) At the end of the period allocated for Oral Questions the Chair may allow Members to ask further Oral Question for which notice under Rule (b) above has not been given if:
- (a) the Chair and the person to whom the question is addressed has been given at least two hours written notice of the question prior to the start of the meeting; and
 - (b) the Chair has confirmed to the Member asking the Question and the person to whom it is addressed that they are satisfied that the question is of urgent public importance and could not be better dealt with under any other Rule or other procedure of the Council.

Written Questions

- (f) Written Questions may be asked at any time and will be dealt with as set out below:

Day	Action/Comment
9.00am 9 Working Days prior to Council Meetings	<p>Deadline for the submission of Written Questions for an answer to be received at the Council Meeting.</p> <p>If a question is submitted following this deadline it will be answered at the following Council Meeting.</p> <p>If a Member submits more than 5 Written Questions, only 5 of these Questions (which the Member will be invited to prioritise) will be answered at the Council Meeting; and the remaining Questions will be answered at the following Council Meeting.</p> <p>The Monitoring Officer shall have discretion to instruct that a composite answer may be given to Written Questions which are closely related or on the same subject matter, wherever she considers this appropriate.¹</p>
12.00 noon on the day of the Council Meeting	<p>Deadline for answers to Written Questions which are to be answered at the Council Meeting (as referred to above) to be circulated by email to all Members.</p>

A full copy of each Written Question (together with the answers to them) will be attached to the minutes of the meeting.

¹ This will take effect for the March 2015 Council meeting (as there are no Written or Oral Questions at the February Budget Council); and be trialled up until and including the Council meeting in November 2015, during which time the changes would be monitored and reviewed, and thereafter made permanent or further amended

Rejection of Questions

- (g) The Chair may reject an Oral Question, Urgent Oral Question or a Written Question if in their opinion it:-
- (i) is not in relation to Relevant Business (as defined in Rule 35);
 - (ii) is in relation to Inappropriate Business (as defined in Rule 35);
 - (iii) is substantially the same as a question which has been put at a meeting of the Council in the past six months and there has been no material change in the answer which would be given; or
 - (iv) is a statement or otherwise is not a genuine enquiry.

Withdrawal of questions

- (h) A question may not be withdrawn except with the consent of the person it is addressed to.
- (i) If the Chair or the Monitoring Officer considers that a response to a question could be provided by a senior officer prior to the relevant Council meeting, then the Monitoring Officer may contact the Member concerned to ascertain whether the Member agrees that the question could be withdrawn.

Written record of Oral Questions and Responses

- (j) A written record of Oral Questions and related supplementary questions that are put at the meeting together with the responses provided, will be circulated by or on behalf of the Democratic Services Manager to all Members and the media noted as having attended the meeting by no later than 5.00pm five Working Days following the day of the Council meeting.
- (k) Prior to issue the written note of a response to a supplementary question must be checked for accuracy by the responding person.
- (l) No written note of a response to a supplementary question will be provided to the media before being provided to Members.

18 PUBLIC QUESTIONS

- (a) A period of up to 15 minutes in each meeting shall be allowed for public questions.
- (b) Any person (other than Members) who resides or works in the area of the City and County of Cardiff may ask questions of Cabinet Members or of the chairpersons of committees of the Council at Ordinary Meetings of the Council.
- (c) A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the mailbox set up by the Democratic Services Manager for such purpose no later than 5pm, 6 Working Days before the day of the

meeting. Each question must give the name and address of the questioner and must specify the person to whom it is to be put (by name or title).

- (d) At any one meeting no person may submit more than one question and no more than one such question may be asked on behalf of one organisation.
- (e) The number of questions that an individual can ask in a municipal year shall be limited to two, with any further questions being accepted only at the discretion of the Chair.
- (f) The Chair may reject a question if it:
 - (i) is not related to Relevant Business (as defined in Rule 35);
 - (ii) is in relation to Inappropriate Business (as defined in Rule 35);
 - (iii) is substantially the same as a question which has been put at a meeting of the Council in the past six months;
 - (iv) relates to a matter which is the subject of legal or enforcement proceedings or an appeal to a court or tribunal or to a Government Minister or the National Assembly or an investigation by the Local Government Ombudsman;
 - (v) relates to the activities and aims of a political party or organisation;
 - (vi) relates to a Regulatory Decision or a matter which may result in a Regulatory Decision;
 - (vii) is a statement or otherwise is not a genuine enquiry; or
 - (viii) would require the expenditure of a disproportionate amount of time, money or effort to prepare the answer.

The ruling of the Chair in the above matters shall be final.

- (g) The Proper Officer will make a record of each question received and a copy of the questions to be asked at a meeting will be open to public inspection and circulated to Members prior to the meeting.
- (h) Questions will be asked in the order in which notice of them was received, except that the Chair may group together similar questions.
- (i) If the questioner is absent or fails to identify themselves then the question will be deemed to be withdrawn.
- (j) A questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to his or her original question. A supplementary question must relate to the original question or the answer given and be limited to one minute. The Chair may reject a supplementary question on any of the grounds set out in (f) above.

Answers

- (k) No more than five minutes will be allowed for a response to any one question.

- (l) Any question which cannot be dealt with during public question time, either because of lack of time or because of the nonattendance of the Member, to whom it was to be put, will be dealt with by a written answer and a copy of the answer will be recorded in the minutes of the meeting.

19 GENERAL PROVISIONS RELATING TO ANSWERS TO MEMBER AND PUBLIC QUESTIONS

(a) An answer may take the form of:

- (i) an oral answer given by the person to whom the question is addressed or another person nominated by them;
- (ii) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (iii) where the reply cannot conveniently be given orally, a written answer circulated later to Members of the Council.

(b) A person to whom a question is addressed may decline to answer provided that they state the reason for declining to answer.

20 PETITIONS

(a) Where a Member delivers a petition to the Council the Member may outline the request by the petitioners, the reason for the request and the number of the signatories provided that in any event the Member may not speak under this rule for more than one minute.

(b) Petitions shall be divided into three classes and shall be addressed as follows:

- (i) A petition bearing less than 20 signatures shall be dealt with by normal correspondence.
- (ii) A petition bearing 21-50 signatures shall be noted at the meeting and passed to a relevant officer of the Council for a written response.
- (iii) A petition bearing 51 or more signatures shall be noted and passed to the relevant Cabinet Member for consideration and a written response.²

21 GREEN PAPERS³

General

(a) An opportunity for one Cabinet Member to bring forward a Green Paper will be given at each Ordinary Meeting of the Council (but not the Annual Meeting or the budget meeting of Council).

Procedure for the Debate of Green Papers

² Subject to further review following referral back to Constitution Committee.

³ Subject to further review following feedback from Cabinet Members.

- (b) Any Cabinet Member bringing forward a Green Paper must provide the Chair and the Democratic Services Manager with a copy of the Green Paper at least 5 Working Days prior to the Ordinary Meeting. A copy of the Green Paper shall be attached to the Agenda for the meeting.
- (c) Members shall be given a chance to respond to the Green Paper at the meeting (as set out below) and the Green Paper must also provide an opportunity for Members to give written comments following the meeting at which the Green Paper is presented.
- (d) In the debate:
 - (i) The Cabinet Member proposing the Green Paper shall be given 15 minutes to speak, but may choose to allocate a proportion of that time to other Members provided that they:
 - (a) indicate to whom they will allocate time and how much time will be allocated to them at the start of the debate; and
 - (b) in doing so a maximum of 5 Members may speak (including the Cabinet Member proposing the Green Paper).
 - (ii) The debate shall then be opened to the floor for Members to give their initial response to and comments on the Green Paper. A maximum of 10 minutes shall be allowed for such debate and no one Member shall be permitted to speak for more than 3 minutes.

22 ORDINARY MOTIONS

General

- (a) No Ordinary Motion moved by notice pursuant to this Rule 22 will be debated at the Annual Meeting of the Council.
- (b) In order to move an Ordinary Motion it must be emailed by the proposer, and seconded by email to the mailbox allocated for that purpose by the Democratic Services Manager by 5.00pm at least 7 Working Days before the date of the meeting.
- (c) Every Ordinary Motion properly delivered will be dated and registered by the Democratic Services Manager in the order in which they were received and open to Members' inspection after the deadline for receipt.
- (d) Ordinary Motions will be listed on the agenda in the order in which the notices were received.

Number and Allocation of Ordinary Motions

- (e) Subject to Rule (f) below, the number of Ordinary Motions shall be limited to a maximum of 20 motions in each municipal year.

- (f) The allocation of Ordinary Motions will be agreed between the political groups. The allocation will be reviewed annually by the leaders of the political groups in consultation with the Chair. No political group recognised by the Council shall be allocated less than two Ordinary Motions in a municipal year. If necessary, the maximum number of Ordinary Motions in a year may be increased to accommodate this.

Scope of Ordinary Motions

- (g) Ordinary Motions must be in relation to Relevant Business and must not be Inappropriate Business (as defined in Rule 35).
- (h) Any Ordinary Motion which requires a change in the budgetary framework may only call for a report on the matter to be prepared for consideration by the Executive and or Council as appropriate.
- (i) If any Ordinary Motion appears to the Chair to be not presently contained within the approved Council Budget for the year in question, it will still be included on the agenda for the meeting. However a statement from the Chair to this effect and stating that the Ordinary Motion shall be deferred to the next ordinary meeting of Council so that written legal and financial advice may be given to Members before the motion is debated.

Urgent Ordinary Motions

- (j) The Chair has the authority to agree to take an urgent Ordinary Motion which is not on the agenda (or to place an urgent Ordinary Motion on the agenda if sufficient notice is received).
- (k) The discretion is entirely that of the Chair who alone needs to be satisfied as to the need for urgency but an urgent Ordinary Motion should not be taken unless the Chair is satisfied that:
 - (i) the proposer of the motion has taken all reasonable steps to notify the Chair and the Monitoring Officer of their desire to raise an Urgent Motion at the earliest opportunity;
 - (ii) and the motion requires an urgent decision in relation to an important public interest matter and it cannot reasonably be dealt with by other means; and
 - (iii) the motion is seconded.
- (l) In all cases, the reason for the urgency shall be clearly stated, and the Chair will explain to the Council the reason why they have accepted an Urgent Ordinary Motion.

Withdrawal or alteration of Ordinary Motions

- (m) No Ordinary Motion can be withdrawn or deferred once it has been delivered except:-

- (i) if prior to the commencement of the meeting notice of withdrawal in writing signed by the proposer, and seconder has been delivered to the Democratic Services Manager; or
 - (ii) a Member may withdraw an Ordinary Motion of which they have given notice at any time after the meeting has commenced provided that they have not moved the motion or spoken on it and they have the consent of the meeting.
- (n) A Member may alter their own motion only with the consent of the meeting. Only alterations which could be made as an amendment may be made.

Amendments to Ordinary Motions by other Members

- (o) An amendment to an Ordinary Motion may not be moved unless notice of the amendment has been given to the Democratic Services Manager by email, and seconded by 5.00pm 2 Working Days before the meeting.
- (p) An amendment to an Ordinary Motion must be relevant to the motion and will be:-
- (i) to leave out words;
 - (ii) to leave out words and insert or add others; or
 - (iii) to insert or add words.
- (q) Any amendments to Ordinary Motions will be called by the Chair in an order determined by the Chair, in consultation with the Monitoring Officer. The ordering shall be selected to facilitate coherent debate and to, wherever reasonably possible, allow each amendment to have the opportunity to be voted upon.
- (r) Each amendment will be proposed and seconded and then put to the vote in the order determined by the Chair.

Right of reply and Voting on the Ordinary Motion

- (s) Once amendments have been put to the vote, the principal motion, as amended if any amendments have been carried, will then be put to the vote.
- (t) The rights of reply before the vote on an Ordinary Motion takes place are as follows:
- (i) Before any amendment is put to the vote, the Member who proposed the Ordinary Motion shall be given an opportunity to respond to the amendment.
 - (ii) If no amendments are proposed or carried to an Ordinary Motion, then the Member who proposed the motion shall be given the right of reply before the Ordinary Motion is put to the vote.

- (iii) If any amendment(s) is carried then the proposer of the amendment shall have the right of reply before the Ordinary Motion (as amended) is voted on. In the event that more than one amendment has been carried, then the Chair shall use their discretion to determine which of the proposers of the amendments shall have the final right of reply.

- (u) A Member exercising a right of reply will not introduce any new matter and after the reply, a vote shall be taken without further discussion.

23 AMENDMENT TO MINUTES OF COMMITTEE REFERRED FOR DECISION

- (a) An amendment to a minute of a Committee or a Sub-committee before the Council for decision can only be moved in the same way as an Ordinary Motion.

24 AMENDMENTS TO REGULATORY DECISION

- (a) No amendment may be moved to a Regulatory Decision.
- (b) No amendment may be moved which would have the effect of disproving the recommendation of a Committee or a Sub-Committee in relation to a Regulatory Decision.
- (c) For the purposes of this Rule a Regulatory Decision is the determination of an application for planning permission or any decision, determination, action, direction, order, approval, refusal or enforcement action in exercise of the powers of the Council as the local planning authority or those powers specified in section B of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007.

24a AMENDMENTS TO REPORTS BEFORE COUNCIL

- (a) An amendment to a report before Council may not be moved unless notice of the amendment has been emailed by the proposer, and seconded by email, to the Democratic Services Manager by 9:00am on the Working Day before the meeting.

25 MOTIONS DURING MEETINGS

- (a) In addition to any other provision of these Rules the following motions may be moved without notice by any Member during a meeting:-
 - (i) to appoint a Member to Chair the meeting if the Chair of Council or the Deputy Chair of Council is not present;
 - (ii) in relation to the accuracy of minutes of the Council;
 - (iii) to change the order of business in the agenda;
 - (iv) to refer something to an appropriate Committee, body or individual for consideration or reconsideration;
 - (v) to appoint a Committee or Member arising from an item on the Agenda;
 - (vi) to receive reports and/or to adopt recommendations of the Cabinet, committees or officers;

- (vii) to amend a motion except one to which Rule 22 applies;
- (viii) to proceed to the next business;
- (ix) that the question be put to the vote;
- (x) to adjourn a debate or a meeting;
- (xi) to extend the time limit for a speech or item of business;
- (xii) to consider Ordinary Motions submitted under rule 22 in excess of the number specified in Rule 22(e); and
- (xiii) to exclude the public and media in accordance with the Access to Information Procedure Rules, as set out in Part 4 of the Constitution.

26 CLOSURE MOTIONS

- (a) Subject to rule (d) below, a Member may move, without comment, the following motions at the end of a speech of another Member;
 - (i) to proceed to the next business;
 - (ii) that the question be now put;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, the Chair will give the mover of the original motion a right of reply and then put the closure motion to the vote.
- (c) If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, the Chair will put the closure motion to the vote. If it is passed he will give the mover of the original motion a right of reply before putting any amendments which have been seconded and debated and then the substantive motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, the Chair will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

27 GENERAL RULES OF DEBATE

- (a) Unless matters are otherwise provided for by other procedures contained in these Rules, the following rules of debate shall apply to the conduct of all business of the Council.
- (b) Members may speak in English or Welsh.
- (c) No speeches may be made after the mover has moved a motion until the motion has been seconded. The Chair may allow the mover to explain the purpose of the motion if he/she thinks fit. The proposer of the motion shall have the right to make the first speech in relation to the motion which he/she has moved.
- (d) When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

- (e) Unless notice of the motion has already been given, the Chair may require it to be written down and handed to the Chair before it is discussed.
- (f) Speeches must be directed to the question under discussion or to a personal explanation or point of order and avoid Irrelevant Business (as defined in Rule 35).
- (g) Proposers of motions or movers of reports may speak for up to six minutes. Unless otherwise stated in these Rules, no other speech may exceed three minutes without the consent of the Chair.
- (h) Unless the Chair is of the view that exceptional circumstances exist, a Member who has spoken on a matter may not speak again whilst it is the subject of debate.

28 PREVIOUS DECISIONS AND MOTIONS

Motion to rescind a previous decision

- (a) A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least twenty one Members.

Motion similar to one previously rejected

- (b) A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least twenty one Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

Part 4 – General Provisions

29 VOTING

Majority

- (a) Unless this Constitution or the law provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

Chair's casting vote

- (b) Except in the case of a vote under Rules (e) and (f) below, if there are equal numbers of votes for and against, the Chair will have a second or casting vote.

Method of Voting

- (c) In normal circumstances voting will be carried out electronically and the names of those voting for, against or abstaining from voting will be recorded electronically and entered into the minutes.
- (d) If a matter seems to be uncontroversial (and no objection is received from any Member) the Chair may determine that a vote by a show of hands is sufficient. Where any Member requests it immediately before or after a vote on a show of hands is taken, their vote will be so recorded in the minutes to show whether they voted for or against or abstained from voting.

Voting on appointments excluding employee appointments

- (e) If there is one position (in a body or organisation) to be filled by a nominee of the Council and more than one person is nominated for that position then the position will be filled by the person with the greatest number of votes.
- (f) If there are two or more positions (in a body or organisation) to be filled by nominees of the Council and the number of nominations exceeds the number of such positions each Member of the Council will be able to exercise one vote for each such position (but may vote only once for each nominee) and the persons to whom more votes have been given than other persons up to the number of positions to be filled, shall be appointed.

Voting on employee appointments

- (g) In the event of there being more than two candidates for an appointment and no candidate receives the required majority on the first vote, the candidate with the least number of votes will be eliminated and a further vote will be taken. This procedure will be repeated until a candidate receives the required majority. If more than one candidate has the same number of votes and that is the lowest number of votes cast, a vote will be taken to decide the candidate to be eliminated from future votes. In the event of an equal number of votes being cast at this stage, the Chair will have a casting vote.
- (h) The Chair will have a casting vote only in the circumstances mentioned in the preceding paragraph.

30 MINUTES

Signing the minutes

- (a) The Chair will sign the minutes of the proceedings at the next meeting (unless it is an Extra-Ordinary Meeting). The Chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

Form of minutes

- (b) The form of the minutes will be a matter for the Proper Officer but will include:-
- (i) all motions and amendments in the exact form and order the Chair put them;
 - (ii) replies given to Oral Questions; and
 - (iii) written questions and answers (as referred to at Rule 17).

31 RECORD OF ATTENDANCE

- (a) All Members present during the whole or part of a meeting must accurately record their attendance on the record of attendance provided for that purpose.

32 RECORDINGS OF MEETINGS OF THE COUNCIL

- (a) Council meetings shall be webcast ('the official recording'). Other than the official recording, no recording shall be made of the proceedings of meetings of the Council whether audio or visual and by whatever method except with the express authorisation of the meeting.
- (b) If a person records the proceedings of any meeting (or causes such recording to be effected) without authorisation then the Chair will order their removal from the meeting room and shall not permit them to be admitted to a further meeting except on a written undertaking to desist from such recording and on the destruction of such recordings as may have been made and anything derived from them.

33 SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

Suspension

- (a) All or any of these Council Rules of Procedure except Rule 29 may be suspended by motion on notice or without notice if at least one half of the whole number of Members is present.

Amendment

- (b) Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

34 OFFICER ADVICE

- (a) Any report placed for decision before Council should contain all necessary advice to enable Members to take a decision. Reports will be circulated in advance of the meeting and if a Member requires clarification on an issue related to the report, this should be sought prior to the meeting.
- (b) Further officer advice will only be available at the meeting of Council with the consent of the Chair, in consultation with the Head of Paid Service. If there is a need for further detailed legal or financial advice to be provided, the meeting should be adjourned.

35 INTERPRETATION

- (a) In these Rules the following words shall have the following meanings.

“Relevant Business” means matters for which the Council has a responsibility and which substantially affect the well-being of the administrative area of the Council and/or the citizens (or a significant group of them) of the Council.

“Inappropriate Business” means matters that:

- (i) are not in relation to a matter for which the Council has a responsibility and which affects the administrative area or citizens of the Council;
- (ii) are defamatory, frivolous or offensive;
- (iii) require the disclosure of confidential or exempt information; or
- (iv) relate to the personal circumstances or conduct of any officer and Member or conditions of service of employees; or
- (v) relate to an individual, particular group or business or the questioner’s own particular circumstances; or
- (vi) are ultra vires the Council or unlawful.

“Working Day” means a normal working day in Wales when banks are open for normal business (for the avoidance of doubt, excluding weekends and public holidays).

- (b) Any reference to “in writing” or “written” shall include email.
- (c) The Chair’s ruling on the interpretation of these terms in relation to the application of these Rules shall be final.

Council Meeting Timetable Summary (assuming no public holidays)

	Day	General Actions	Oral Question Procedure	Written Questions		Ordinary Motions
	Thu	-10				
	Fri	-9		9am Deadline for asking questions to ensure answer given by meeting.		
WEEKEND						
	Mon	-8				
	Tue	-7				5pm - Deadline for Submission of Ordinary Motions
	Wed	-6	- 5pm - Deadline for Submission of Public Questions			
	Thu	-5	Deadline for submission of Green Papers			
	Fri	-4	Summons and Agenda Circulated			
WEEKEND						
	Mon	-3				
	Tue	-2		12.00 noon – Deadline for submission of Oral Questions		5pm - Deadline for submission of amendments to Ordinary Motions
	Wed	-1	9am - Deadline for submission of amendments to reports			
	Thu	0	Council Meeting	12.00 noon - Written copies of questions and answers circulated by email		
	Fri	1				
WEEKEND						
	Mon	2				
	Tue	3				
	Wed	4				
	Thu	5	Circulation of written copy of Oral Question/Answers			

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Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

CITY COUNCIL

TUESDAY, 11 JULY 2017 AT 14:00 HOURS
IN COUNCIL CHAMBER, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

A G E N D A

1 **NOTICE OF RECORDING**

Lord Mayor to advise that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.birminghamnewsroom.com) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

5 - 26

2 **MINUTES**

To confirm and authorise the signing of the Minutes of the Meeting of the Council held on 13 June

3 **LORD MAYOR'S ANNOUNCEMENTS**

To receive the Lord Mayor's announcements and such communications as the Lord Mayor may wish to place before the Council.

4 **PETITIONS**

(15 minutes allocated)

To receive and deal with petitions in accordance with Standing Order 8.

As agreed by Council Business Management Committee a schedule of outstanding petitions is available electronically with the published papers for the meeting and can be viewed or downloaded.

5 **QUESTION TIME**

(90 minutes allocated)

To deal with oral questions in accordance with Standing Order 9(B)

A. Questions from Members of the Public to any Cabinet

Member, Assistant Leader, District Committee
Chairman or Ward Forum Chairman (20 minutes)

- B. Questions from any Councillor to a Committee
Chairman, Lead Member of a Joint Board or Ward
Forum Chairman (20 minutes)
- C. Questions from Councillors other than Cabinet
Members and Assistant Leaders to a Cabinet Member
or Assistant Leader (25 minutes)
- D. Questions from Councillors other than Cabinet
Member and Assistant Leaders to the Leader or
Deputy Leader (25 minutes)

6 **APPOINTMENTS BY THE COUNCIL**

(5 minutes allocated)

To make appointments to, or removal from, committees, outside bodies or other offices which fall to be determined by the Council.

7 **EXEMPTION FROM STANDING ORDERS**

Councillor Diane Donaldson to move an exemption from Standing Orders.

8 **REPORTS OF THE COUNCIL BUSINESS MANAGEMENT COMMITTEE**

27 - 28

A **FREEDOM OF THE CITY - ROYAL AIR FORCE COSFORD**

(5 minutes allocated)

To consider a report of the Council Business Management Committee.

The Leader Councillor John Clancy to move the following Motion:

- "A. That the Lord Mayor and Citizens of the City of Birmingham being deeply conscious and appreciative of the close relationship of our people with Royal Air Force Cosford, are desirous of recognising, perpetuating and fostering still further the bonds of friendship and goodwill which has resulted therefrom by conferring by this resolution the Freedom of Entry into the City upon Royal Air Force Cosford and the right in perpetuity on all occasions of honouring the City of Birmingham by exercising the privilege of marching through the streets of the City with drums beating, bands playing, colours flying and bayonets fixed on all ceremonial occasions.
- B. That the City Solicitor be authorised to attach the common seal to the Freedom of the City Scroll."

29 - 190

B **REVISED CITY COUNCIL CONSTITUTION**

(20 minutes allocated)

To consider a report of the Council Business Management Committee.

The Leader Councillor John Clancy to move the following Motion:

" That the Council:-

Adopts the new format of the Council's Constitution; and

Adopts the changes to the current content as summarised in the Appendix (tracked changed constitution) to this Report; and

Authorises the City Solicitor to implement the new format and the changes set out in the Appendix with immediate effect; and

Notes that further amendments to the Constitution will be presented in accordance with the Programme of Works detailed above."

(break 1625-1655)

191 - 206

9 **CHILDREN'S SOCIAL CARE & EDUCATION: IMPROVEMENT & CHALLENGES - UPDATE**

(30 minutes allocated)

To consider a report of the Improvement Quartet: Councillor John Clancy, Councillor Brigid Jones, Stella Manzie and Colin Diamond.

Councillor Brigid Jones to move the following Motion:

"The Council welcomes and notes progress in children's social care and in education, and notes progress on the voluntary trust arrangement for children's services.

10 **REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEES**

(60 minutes allocated (may be reduced to 30 minutes))

207 - 224

SCRUTINY ANNUAL REPORT 2016/17

To consider a report of the Chairs of Overview and Scrutiny Committees.

225 - 226

11 **MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS**

(90 minutes)

To consider the attached Motions of which notice has been given in accordance with Standing Order 4(A).

Summons to attend meeting of Full Council



Date: Tuesday, 18 July 2017

Time: 6.00 pm

Venue: Council Chamber, City Hall, College Green,
Bristol BS1 5TR

To: All Members of Council

Members of the public attending meetings or taking part in Public forum are advised that all Full Council are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items) and the footage will be available for two years. If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.

Issued by: Ian Hird, Democratic Services
City Hall, PO Box 3167, Bristol, BS3 9FS
Tel: 0117 92 22384
E-mail: democratic.services@bristol.gov.uk
Date: Monday, 10 July 2017

Agenda

1. Welcome and safety information

Members of the public intending to attend the meeting are asked to please note that, in the interests of health, safety and security, bags may be searched on entry to the building. Everyone attending this meeting is also asked please to behave with due courtesy and to conduct themselves in a reasonable way.

Please note: if the alarm sounds during the meeting, everyone should please exit the building via the way they came in, via the main entrance lobby area, and then the front ramp. Please then assemble on the paved area in front of the building on College Green by the flag poles.

If the front entrance cannot be used, alternative exits are available via staircases 2 and 3 to the left and right of the Council Chamber. These exit to the rear of the building. The lifts are not to be used. Then please make your way to the assembly point at the front of the building. Please do not return to the building until instructed to do so by the fire warden(s).

2. Apologies for absence

3. Minutes of previous meetings - to be confirmed as a correct record (Pages 14 - 27)

- a. Minutes of Annual Full Council meeting – 23 May 2017
- b. Minutes of Extraordinary Full Council meeting – 27 June 2017

4. Declarations of interest

To note any declarations of interest from the Mayor and councillors. They are asked to indicate the relevant agenda item, the nature of the interest and in particular whether it is a disclosable pecuniary interest.

Any declaration of interest made at the meeting which is not on the register of interests should be notified to the Monitoring Officer for inclusion.



5. Lord Mayor's business

6. Public forum (public petitions, statements and questions)

Please note:

Up to 30 minutes is allowed for this item. Public forum items should be e-mailed to democratic.services@bristol.gov.uk

Public forum items can be about any matter the Council is responsible for or which directly affects the city.

Please note that the following deadlines apply to this meeting:

a. Public petitions and statements: Petitions and written statements must be received by 12 noon on Monday 17 July 2017 at latest.

One written statement per member of the public is permitted.

b. Public questions: Written public questions must be received by 5.00 pm on Wednesday 12 July 2017 at latest. A maximum of 2 questions per member of the public is permitted.

7. Petitions notified by councillors

Please note:

Up to 10 minutes is allowed for this item.

Petitions notified by councillors can be about any matter the Council is responsible for or which directly affects the city.

The deadline for the notification of petitions to this meeting is 12 noon on Monday 17 July 2017 at latest.

8. **Petition debate: "Let Bristol breathe clean air"** (Pages 28 - 29)

9. **"Clean air now for Bristol" - report back (for information) from Mayor on action taken in response to motion approved at Full Council on 8 November 2016** (Pages 30 - 36)



- 10. Update report on Bristol education funding (Pages 37 - 41)**
- 11. Audit Committee - annual report 2016-17 (Pages 42 - 54)**
- 12. Appointment of Interim Director of Adult Social Services (Pages 55 - 56)**

13. Dates and times of Full Council meetings

At the annual Council meeting on 23 May, dates of Full Council meetings for the remainder of 2017-18 were approved, but it was also agreed that the Mayor and party group leaders should further discuss the start times of meetings.

Full Council is asked to note that following further discussions, the following start times will apply:

- 6.00 pm, Tuesday 12 September 2017
- 6.00 pm, Tuesday 14 November 2017
- 2.00 pm, Tuesday 12 December 2017
- 2.00 pm, Monday 15 January 2018
- 2.00 pm, Tuesday 20 February 2018 (budget Council meeting)
- 6.00 pm, Tuesday 20 March 2018

14. Motions

Note:

Under the Council's constitution, 30 minutes are available for the consideration of motions. In practice, this realistically means that there is usually only time for one, or possibly two motions to be considered. With the agreement of the Lord Mayor, motion 1 below will be considered at this meeting, and motion 2 may be considered subject to time. Details of other motions submitted, (which, due to time constraints, are very unlikely to be considered at this meeting) are also set out for information.



1. VOTES AT 16

Motion to be moved by: Cllr Jude English, Green, Ashley ward

“Full Council notes:

1. That currently 1.5 million 16 and 17 year olds are denied the vote in public elections in the UK.
2. That 16 and 17 year olds are able to vote in local elections in Scotland, and in elections to the Scottish and Manx Parliament.
3. That the campaign to lower the voting age is supported by thousands of young people across the UK, as well as a wide range of youth and democracy organisations and hundreds of MPs and elected representatives across the UK, and that following a nationwide consultation, the UK Youth Parliament voted it as their national campaign for 2017, and that it is also an integral part of the Bristol Youth Manifesto.

Full Council believes that:

1. 16 and 17 year olds are knowledgeable and passionate about the world in which they live and are as capable of engaging in the democratic system as any other citizen;
2. Lowering the voting age to 16, combined with strong citizenship education, would empower young people to better engage in society and influence decisions that will define their future;
3. People who can consent to medical treatment, work full-time, pay taxes, get married or enter a civil partnership and join the armed forces should also have the right to vote.

Full Council resolves to call on the Mayor to:

1. Publically support votes at 16 and join the Votes at 16 Coalition;
2. Inform local MPs and the media of this decision and work with them in support of this campaign;
3. Promote this policy through council communications;
4. Run activities to raise awareness of and support for Votes at 16 in Bristol;
5. If Bristol pilots e-voting, to commit to including 16 and 17 year olds for demonstration purposes, and further extend e-voting to Bristol City Youth Council elections, demonstrating innovation in digital democracy;
6. Formally request to government that Bristol be used as a pilot to trial Votes at 16 in council elections.”



2. MITIGATION OF UNIVERSITY EXPANSION

Motion to be moved by: Cllr Anthony Negus, Liberal Democrat, Cotham ward

“Full Council notes the benefits that the Universities bring our City: vibrancy, earnings, new value added businesses, employment opportunities and a source of civic pride. But there are downsides too and as recent growth has been high and is expected to reach 60,000, these new generally short term residents are increasing the severe strain on council services, the housing market and longer term residents in high-density student areas.

Particular groups are disproportionately affected:

- Anyone renting, due to increased demand for accommodation and so paying higher rents, and this includes university staff and their post and undergraduates too.
- Residents living in communities which are affected by high concentrations of this one demographic.
- Council finances; the provision of services to tens of thousands of students. These services used to be funded by the Government from a block grant but this is being cut to zero.

Full Council therefore asks the Mayor to:

- 1) In conjunction with other Council Leaders, engage with the Government, to highlight that the current approach to university growth is creating unsustainable pressure on Council resources; having to service 100% of its population with only 85-90% of them paying council tax. Adequate funding arrangements will probably require changes to planning obligation and taxation advantages given to university and student accommodation of all sizes. A grant or a means of local collection and redistribution of taxes needs to be put in place so Councils can provide services like street cleaning and implement the housing and transport solutions required to ensure balanced communities and mitigate the effects of university expansion on the housing market.

In addition Full Council agrees that necessary work should be done locally in Bristol and in the Combined Authority to update the Universities’ masterplans so as to deliver sustainable future expansion, housing and transport solutions. Co-operative recording and planning policies need to be updated and true recognition given to the impact that unbalanced communities bring to all residents.

Further Full Council requests the Mayor to instruct officers to:



- 2) Develop a bespoke SPD which looks at best practice around the country, uses up to date data from Universities on their impact, both positive and negative and seeks to improve the amenity of everyone’s lives in areas hard hit by current and future growth in numbers.
- 3) Require the Universities to support transport and housing solutions for more than just first years.
- 4) Set up an all-party commission to oversee the above processes and liaise with Universities to progress other possible approaches, and keeping members informed.”

Details of other motions submitted, (which, due to time constraints, are very unlikely to be considered at this meeting) are set out below for information:

3. SAVING BRISTOL’S STREET TREES

Motion submitted by: Cllr John Goulandris, Conservative, Stoke Bishop ward

“Council is extremely concerned about the hasty decision by Highways drastically to reduce - by 78% - departmental spending on the Street Tree Management Programme.

This move is said to be part of wider savings to be achieved within the highways maintenance budget. However, there seems to have been no prior consultation either within the Council with tree officers or externally with residents and other stakeholders. It would appear that no proper consideration has been given to the efficacy of such action or whether such savings are sustainable. For example, the relevant line in the Mayor’s budget last February simply states ‘reduce revenue funding by £1.7m’. This clearly does not articulate sufficiently how such a saving proposal was to be made or the likely impact it could have on the city’s treescape.

Council seriously questions the wisdom of such a sudden and massive spending cut on essential tree maintenance, which raises issues over public safety, increased pollution, damage to roads, pavements and property, as well as leading to a potential rise in compensatory insurance claims and payments. Short term savings in year 1 could well be outweighed by long term costs in future years.

Savings do, of course, have to be found by Bristol City Council. At a recent public meeting to discuss future street tree maintenance,



residents stated that they would much prefer available money being redirected from over engineered traffic management/highways projects e.g. unnecessary traffic light installations and instead put towards helping to maintain our tree canopy, which is environmentally invaluable in helping to absorb CO2 and maintain air quality.

Accordingly, Council calls on the Mayor to reinstate street tree maintenance funding, until such time as a proper evaluation of the implications of this cut has been undertaken and a new street tree policy – formulated with the help of experienced bodies like the Bristol Tree Forum and the Council’s in house tree officers – is adopted.”

4. LITTER ENFORCEMENT

Motion submitted by: Cllr Tony Carey, Conservative, Brislington East ward

"Council very much welcomes the 'Clean Streets' campaign launched last year in an effort to encourage people to do more in tackling Bristol's annual waste mountain.

Inevitably, rigorous enforcement of the litter laws through the issuing of fixed penalty notices (fines) will be a significant factor in the effectiveness of this strategy and in deterring littering and other anti-social behaviours.

To date, this Authority has not been as active in this regard as some others. For example, Wirral Borough Council has achieved tremendous results through outsourcing its environmental protection services to a specialist private company. Remarkably, the adoption of a zero-tolerance policy and regular, dedicated, patrols brought in £281,000 in fines for the first three months of operation under this new regime. Sadly, such an approach and outcome contrasts markedly to the situation which persists in our city.

Accordingly, Council calls on the Mayor to look into the above example of best practice and consider adopting a similar model here to really achieve a cleaner, greener Bristol.”

5. POLICING TRAVELLER TRESPASS

Motion submitted by: Cllr Steve Jones, Conservative, Stockwood ward

“Council remains concerned over the recent plethora of illegal traveller encampments set up around the city.

Whilst these transgressions are normally a seasonal phenomenon associated with the traditional travelling months beginning in the spring



and running through to the Autumn, it is recognised that Bristol’s valued open and green spaces are vulnerable to such incursions all year round.

Council notes that whilst there are a range of effective statutory powers available to provide a quick remedy (eviction), regrettably there is a shortage of equivalent provisions at the disposal of the private citizen. Instead, such persons are expected to seek repossession of their land through the civil law route. This can be a time-consuming and expensive process.

Consequently, Council calls on the Mayor to (i) lobby Central Government to issue new guidelines on the application of sections 61-62 of the Criminal Justice & Public Order Act 1994 to the effect that, operationally, there is to be a presumption in favour of the use of this police enforcement power and (ii) that he liaise with the Police & Crime Commissioner for Avon & Somerset Constabulary to change the local culture or approach taken by her Force in such matters to intervene and use these public order provisions in most cases of traveller trespass.”

6. FUTURE OF THE LIBRARY SERVICE

Motion submitted by: Cllr Geoff Gollop, Conservative, Westbury-on-Trym and Henleaze ward

“Council very much regrets the decision taken by the Mayor and his Labour colleagues to reduce the Library Service Budget by £1.4m over the next three years, and to cut its immediate funding by £300k.

Sadly, alternative options put forward by Opposition Members, which would have removed this threat to the city’s current branch network - by redirecting existing resources - were not supported by the controlling Labour group. Now, Council is concerned over the risible options presented as part of the latest public consultation over the future of this important and valued community service.

As a result, if any of the three poor choices presented are implemented, Bristolians will see some extremely popular libraries closed whilst other, little used buildings, are bizarrely kept open.

Moreover, Council is disturbed that the Mayor seems to have discarded the use of different models of provision – such as involving volunteers in the running of libraries - which has proved so successful in other parts of the country. For example, (Conservative controlled) Suffolk County Council has managed to retain all of its 44 branches in this way and by operating them through an ‘arms-length’ independent body (Industrial Provident Society).

Accordingly, Council calls on the Mayor discard the limited options contained in the ‘Your Neighbourhood’ consultation and adopt more imaginative and innovative solutions – including technological advances



like extended access as used in South Gloucestershire and a greater role for volunteers – which could both cut costs and keep more of our existing library network open.”

7. CLIMATE CHANGE AND THE PARIS AGREEMENT

Motion submitted by: Cllr Gary Hopkins, Liberal Democrat, Knowle ward

“This council requests that our city Mayor writes to the American White House to express our extreme concern about the reckless and irresponsible action of President Trump in withdrawing from the Paris climate agreement. The impact of this will affect Bristol as a sustainable city, as it will affect other cities worldwide.

In writing we would associate ourselves with the letter from Nancy Polanski and the many city and state leaders in the United States who have urged him to reconsider and pledged their areas to continuing and speeding up responsible action.

Whilst this sort of letter should normally come from national government, the present British government has failed to act so we, as a sustainable city, must lead.”

8. PROPORTIONAL REPRESENTATION

Motion submitted by: Cllr Eleanor Combley, Green, Bishopston and Ashley Down ward

“Following the recent general election, Full Council notes that the 'First Past the Post' voting system:

1. Has again failed to live up to its reputation to provide strong and stable government, delivering the second minority government in a decade;
2. Has again yielded a wildly disproportionate allocation of seats with, for example, the Democratic Unionist Party gaining 10 seats from 292,316 votes compared with 12 seats from 2.4 million votes for the Liberal Democrats;
3. Has spectacularly failed to match votes to seats with 27,930 votes required to elect one MP from the Scottish National Party compared with 525,371 votes to elect one Green Party MP;
4. Has resulted in 68% of votes being ‘wasted’ i.e. having no effect on the outcome of the election.

Full Council believes:

1. That a Parliament that more accurately reflects the views of the nation is more likely to develop an economic, social and environmental agenda that benefits Bristol’s residents;
2. That enabling people to feel that their votes count would increase



- voter engagement and participation;
3. Recognises that a robust democracy must include a fair voting system and that nobody should be disenfranchised because of where they live;
 4. Applauds the many groups and organisations campaigning for fair votes including the Electoral Reform Society, Make Votes Matter and the Labour Campaign for PR;
 5. Notes that the Single Transferable Vote system is already used for local elections in Scotland and in both Northern Irish local elections and the Northern Ireland Assembly while proportional electoral systems are used to elect the devolved parliaments and assemblies in Scotland, Wales and London;
 6. Therefore calls for the introduction of a proportional voting system
 - a. for local elections in England and Wales;
 - b. for Westminster elections.

Full Council resolves to call on the Mayor to:

1. Publicly support proportional representation as the national electoral system;
2. Inform local MPs and the media of this decision and work with them in support of this campaign;
3. Forward a copy of this motion to the Leaders of all political parties represented in the UK Parliament, and to all Bristol MPs.”

9. PAVEMENT PARKING

Motion submitted by: Cllr Charlie Bolton, Green, Southville ward

“Full Council notes:

The campaign by the Bristol Walking Alliance on pavement parking, and in particular its petition which states:

‘We call on the Mayor to ban parking on pavements in Bristol.

In particular, we ask the Mayor, councillors, officers, partner agencies and Bristol's four MPs to:

1. Raise public awareness about the negative impacts of pavement parking for all residents, but especially people with sensory or mobility impairments, children, parents and carers, frail and elderly people and other pedestrians who are either forced to walk in the road or are unable to access their destination;
2. Support proactively the Local Government Association's initiative to make pavement parking a clear offence;
3. Until such legislation is in place, use existing new Traffic Regulation Orders to end the damage to pavements, to social inclusion and to public health caused by parking on Bristol's pavements.



This will give residents of Bristol the same benefits as those living in London where legislation already bans pavement parking.’

Full Council resolves to call on the Mayor to endorse the campaign and implement its recommendations.”

10. LIBRARY CONSULTATION

Motion submitted by: Cllr Tim Kent, Liberal Democrat, Hengrove and Whitchurch Park ward

“This Council notes the consultation on the future of library services in the city.

This Council regrets that the only option being consulted with residents is to remove all funding from 17 of the council's 28 libraries, closing them.

Council is gravely concerned that other viable alternatives have not been fully explored or considered.

This Council believes the consultation being run is premature and misleading. Council has not yet made a decision on the medium term financial plan or on the total funding for libraries for the future. The consultation claims that on "21st February 2017 Full Council decided to save £1.4m from the Library service budget" - this is an untrue and misleading statement as no such decision was made. A reduction of £300,000, voted through by Labour councillors, was agreed.

Council calls for the Cabinet Member for Neighbourhoods to issue an apology for this premature and misleading consultation. Council further calls on her and the Mayor to withdraw the consultation and proposals for library cuts and instead engage in meaningful dialogue with all councillors and the scrutiny commission for neighbourhoods into other options.”

Signed



Proper Officer
Monday, 10 July 2017







NOTICE OF MEETING

Glasgow City Council

Agenda

**Thursday, 14th September 2017
at 1330 hours**

1. Minutes of Council meeting of 29th June 2017 (Print 2, pages 229 to 234).
2. Print 2 - Committees' minutes - Consideration of paragraphs marked "C", remaining paragraphs submitted for information and approval as a correct record only (page 235 onwards).
3. Local Government By-Election - Election of Councillor for Electoral Ward 4 (Cardonald) - Report by Returning Officer. **Page(s) 1 to 2**
4. Standards Commission Hearing - Report by Director of Governance and Solicitor to the Council.
Page(s) 3 to 12
5. Review of decision-making arrangements - Report by Council Business Manager. **Page(s) 13 to End**
6. Changes to committees etc -
 - (a) Licensing and Regulatory Committee - Remove Martin McElroy and appoint Gary Gray;
 - (b) Local Licensing Forum - Remove Tony Curtis and appoint Robert Connelly;
 - (c) Planning Applications Committee - Appoint Anne McTaggart.
7. Representation on outside bodies:-
 - (a) Community Safety Glasgow - Appoint Mr Alan Benson and Mr Stephen McGowan as Independent Directors;
 - (b) COSLA Policy Boards:-
 1. Children and Young People Board - Appoint Chris

- Cunningham, with Richard Bell as substitute;
2. Community Wellbeing Board - Appoint Jennifer Layden, with Russell Robertson as substitute;
 3. Environment and Economy Board - Appoint Anna Richardson, with Rhiannon Spear as substitute; and
 4. Health and Social Care Board - Appoint Mhairi Hunter, with Ken Andrew as substitute;
- (c) North East Sector Community Planning Partnership - Appoint Russell Robertson; and
- (d) Scotland Excel Joint Committee - Appoint Martin McElroy as substitute.
8. Correspondence.
9. Questions.
10. Notices of motions:-
- (a) By Councillor Ruairi Kelly:-
- "Council recognises that a 24% increase in the average cost of private rents over the past 5 years has been disproportionate to any increase in average income.
- Council therefore proposes that a study is commissioned to look at the potential options around implementing either a city-wide or localised Rent Pressure Zones to limit the annual increases in the privately rented sector."
- (b) By Councillor Frank McAveety:-
- "Council calls on Theresa May to acknowledge that she has no mandate to govern and carry out a policy programme based on austerity measures and a hard Brexit; Council, therefore, believes that Theresa May should step aside in the best interests of the people of the United Kingdom; further, Council agrees that the Conservative Party should put its programme to the people of the country once more in order that citizens may make a definitive decision on who should govern."
- (c) By Councillor Thomas Kerr:-
- "Council calls on NHS Greater Glasgow and Clyde to reverse its decision to close Lightburn Hospital and calls on the Scottish Government to intervene to stop this closure. Council further calls on

both parties to urgently review this decision recognising the impact that it would have on care in the local community and the detrimental effect that its closure would have on the local economy."

(d) By Councillor Allan Young:-

"Council welcomes the scoping work done by the Royal Society For the Encouragement Of Arts, Manufactures and Commerce (RSA) on the possibility of a Universal Basic Income (UBI) trial in Glasgow; recognises the potential of UBI to alleviate some of the financial and time pressures faced by those living on the lowest incomes; and identifies the potential of UBI to transform gender inequality by reducing the extra financial and time penalties experienced by women in shouldering the majority of caring responsibilities.

Council also understands the potential improvements to health and well-being for many from UBI; notes the potential contribution of UBI to strengthening the position of workers; recognises the potential benefit for enabling entrepreneurship and social enterprise; and regards UBI as an addition, and not a replacement, to vital support services such as social security.

Council resolves to reconvene a cross-party working group on trialling Universal Basic Income (UBI) for the city of Glasgow, noting the cross party work done to date on this."

(e) By Councillor Frank McAveety:-

"Council is concerned about the potential negative impacts of fracking, including environmental, community and health impacts; notes that there are two areas in the city - Robroyston and Milton - which are included in a UK Government licence for fracking onshore gas; recognises that there is currently a temporary moratorium on fracking in Scotland; nevertheless believes that this serves to prolong uncertainty for communities and businesses across the City; supports calls by members of the Scottish Parliament to introduce a national ban; and calls on the Scottish Government to introduce a national ban on fracking."

(f) By Councillor Matt Kerr:-

"Council is deeply concerned about Scottish Government cuts to funding for welfare advice projects in Glasgow; understands that these cuts came into effect on 31st March 2017; believes that these changes negatively impact upon many vulnerable people in the city who, in addition to the cuts to date, have been subject to the benefit cap, the two child policy and 'rape clause' on tax credits; further notes this Council's persistent opposition to welfare cuts; resolves to ensure that the poorest and most vulnerable Glaswegians are protected; and calls on the Leader of the Council to write to the Scottish Government

to express concern at these changes, restore funding for these vital advice projects and provide assistance to vulnerable people across Glasgow."

(g) By Councillor Martin McElroy:-

"Council recognises MCR Pathways which aims to help raise the attainment and aspirations of thousands of Glasgow's young people, many of whom may not have a steady influence in their lives; notes that the programme is already firmly established in 15 city secondary schools, supporting hundreds of vulnerable people on a daily basis; congratulates the project on winning the Scottish Mentoring Network 'Most Promising Education Project of the Year' in 2014 and winner in the Herald Society Awards 2016; welcomes the decision in August 2016 to formalise and secure the long-term future of the programme by signing a public social partnership agreement with MCR Foundation, the Robertson Trust, STV Appeal and the Life Changes Trust; notes this Council's commitment to attract at least 10% of its workforce to the pioneering project; encourages Council employees who would like to support a young person to take part and make a difference to a young person's life; and wishes all those involved in the project every success for the future."

(h) By Councillor Ken Andrew:-

"Council recognises that Glasgow enjoys a long-standing international reputation as a major centre for music.

Council notes the many bands and artists that started their career in the city.

Council further notes that no major musical act misses Glasgow from their touring schedule.

Accordingly, this Council instructs Glasgow Life to investigate an urban music festival to be held in the city, modelled on highly successful events currently being run in cities across the world."

(i) By Councillor Robert Mooney:-

"Council re-affirms its commitment to economic development and welcomes the regeneration projects across Glasgow through the City Deal, and other projects. Council also recognises the rights of all Glaswegians to be able to walk in safety and confidence, and is concerned that the introduction of shared space schemes can inadvertently lead to many blind and partially sighted people, and other street users, losing their rights to walk and travel in safety and confidence.

Without a safe walking area and a safe place to cross, shared space

areas cannot be used safely by blind or partially sighted people as eye contact is impossible. Walking and moving around in such environments for deaf blind people is even more difficult.

Council resolves to ensure that economic development which leads to improvements in our street architecture are consistent with the needs of all street users, and do not become an additional barrier for disabled people."

(j) By Bailie Kyle Thornton:-

"Council recognises the 200th anniversary of the birth of Alexander 'Greek' Thomson and calls on the administration to task Council departments with improving the knowledge and marketing of Thomson and his architecture in the city and wider. Council notes the many unique buildings across Glasgow that Thomson designed but is also concerned with the condition of some and will do what it can to preserve his work as part of Glasgow's architectural history."

Contact Officer: Norrie Lyttle
Committee Services Manager
Chief Executive's Department
City Chambers
Glasgow
Telephone: 0141 287 3926
e-mail norrie.lyttle@glasgow.gov.uk

A meeting of the Council will be held in the Civic Hall, Leeds on Wednesday, 12th July, 2017 at 1.30 pm

Members of the Council are invited to attend and transact the following business:

- 1 Minutes of the last Meeting** 1 - 6

To approve the minutes of the Council Meeting held on 25th May 2017.
- 2 Declarations of Interest**

To receive any declarations of interest from Members
- 3 Communications**

To receive such communications as the Lord Mayor, the Leader, Members of the Executive Board or the Chief Executive consider appropriate.
- 4 Deputations**

To receive deputations in accordance with Council Procedure Rule 10.
- 5 Report on Amendments to Executive Arrangements** 7 - 12

To consider the report of the City Solicitor presenting to Council an amendment to the Leader's executive arrangements for the 2017/18 Municipal year.
- 6 Report on Scrutiny at Leeds City Council - Annual Report 2016/17** 13 - 30

To consider the report of the City Solicitor presenting the Scrutiny Boards Annual Report to Council, prepared in accordance with Article 6 of the Constitution.
- 7 Questions**

To deal with questions in accordance with Council Procedure Rule 11.

8 **Minutes of the Health and Wellbeing Board and the Executive Board** 31 - 70

To receive the minutes in accordance with Council Procedure Rule 2.2(i).

9 **Report on Devolution** 71 - 76

To consider a report of the Chief Executive updating Members on matters in the Leeds City Region LEP and the West Yorkshire Combined Authority, specifically this report provides details of the latest public combined authority meeting in April.

10 **White Paper Motion (in the name of Councillor Cohen) - Children and Families Budget** 77 - 78

This Council notes the 2016/17 outturn position of the Children and Families budget showing an overspend of £7.985m. Council further notes that after month 2 of the current financial year the same directorate has a projected overspend of £2.9m.

Council accepts that some of these pressures are demand led and believes that it is vital that children with care needs are looked after in the best way possible, and moreover that demand for these services is met.

However, Council is concerned at the impact that the last 4 years of budget overspends in Children and Families may be having on planning and service delivery in other council departments, and believes the time has come for greater scrutiny of this issue.

Council calls on the Director of Children and Families, in conjunction with the Director of Resources and Housing, to bring a report to Executive Board which sets out:

1. How the budget planning process can better distinguish between the demand-led and core elements of the Children and Families budget;
2. Why the Children and Families directorate's projections around children looked after and fostering have repeatedly been out of sync with the actual figures, and what can be done to improve the accuracy of these projections in the future;
3. What more the council can do to address the number of children looked after and other demand-led elements of the Children and Families budget, including an analysis of what options may exist for consolidation of services on a regional basis.

This Council expresses its heartfelt sympathies for all those affected by the Grenfell Tower fire and believes every resident in Leeds has the right to live in safe and secure housing.

Council believes council housing is a vital part of the fabric of our society and calls on Government to give councils the finance and powers to build and manage safe and good quality housing to meet the needs of local residents.

This Council is committed to providing good quality, affordable homes for communities in Leeds. However, Council is dismayed by the Government's attitude towards housing and finds it particularly damaging that the Right to Buy scheme prevents the sale of council homes at their true value, meaning social housing lost in this way cannot be adequately replaced.

Council calls for urgent action from Government in terms of funding and legislation so that this Council can fulfil its commitment to provide the much needed affordable and safe housing the people of Leeds need.

12 **White Paper Motion (in the name of Councillor Lay) - Public Sector Pay**

This Council will write to the Chancellor of the Exchequer asking him to rescind the current 1% public sector pay limit.



Tom Riordan
Chief Executive

Civic Hall
Leeds
LS1 1UR

Please note: this meeting may be filmed for live or subsequent broadcast via the City Council's website on the internet - at the start of the meeting the Lord Mayor will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training purposes by the Council. Generally the public gallery is not filmed. However, by entering the Council Chamber and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you have any queries regarding this, please contact the City Solicitor.

Third Party Recording

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the clerk.

Use of Recordings by Third Parties— code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.



Liverpool
City Council

CITY COUNCIL MEETING

TO: All Members of the City Council

DATE: Wednesday, 20 September 2017

TIME: 5.00 p.m.

VENUE: Council Chamber, Town Hall, High Street, Liverpool 1

AGENDA CONTACT OFFICER: Chris Walsh

Tel: 0151 233 0410

e-mail: chris.walsh@liverpool.gov.uk

Date of despatch: 12 September, 2017.

J. G. McLoughlin

Jeanette McLoughlin
City Solicitor

City Council Meeting

Wednesday, 20 September 2017

AGENDA

1. Declarations of Interest

To provide an opportunity for Members and Officers to declare any disclosable pecuniary or significant prejudicial interests, in which case the Member will need to leave the Chamber during consideration of the item.

2. Minutes of the City Council held on 19 July 2017

(Pages 1 - 27)

PART ONE

**MAYOR OF LIVERPOOL – JOE ANDERSON
(EXECUTIVE)**

3. Public Question time/Petitions/Statements

To receive in accordance with the Standing Orders any questions/petitions/statements from members of the public.

Public questions/petitions/statements should be submitted to Democratic Services by 12.00noon on Friday 15th September, 2017, utilising the following options:

By email to – chris.walsh@liverpool.gov.uk;

In writing to – Democratic Services,
Cunard Building
Water Street
Liverpool L3 1AH

4. Mayoral Recommendations

(a) Discretionary Council Tax Relief and Care Leavers (DML/5)

(Pages 28 - 35)

5. Urgent Key Executive Decisions taken in the last cycle

(Pages 36 - 40)

6. Mayor of Liverpool Announcements and Updates

To receive any announcements and updates from the Elected Mayor.

PART TWO

COUNCIL

7. Changes in Committee Membership and Appointments to Bodies

Any changes in Committee Membership or Appointments to Outside Bodies to be reported to the Meeting.

8. Nomination of Local Authority Representative Governors

To consider nominations for Local Authority Representative Governors.

(Pages 41 - 42)

MOTION FOR DEBATE SUBMITTED BY THE MAYOR OF LIVERPOOL
(a period of 30 minutes has been allocated for the debate)

9. Liverpool 2022 by Mayor Joe Anderson, OBE

Following a successful manifesto commitment to bid to host the Commonwealth Games, Council recognises the incredible work of Liverpool's bid team led by

Chair of the Bid, Brian Barwick, Deputy Chair Denise Barret Baxendale and Liverpool City Council's Director of Community Services Ron Odunaiya.

Council puts on record its thanks to:

- The bid team for their dedication and passion in writing a bid which the city can be proud of for a Transformational Commonwealth Games.
- The city's partners who contributed to the bid, including Merseytravel, Merseyside Police and Everton FC.
- Manchester City Council and its Leader Richard Lease, for being part of our bid, proving the fraternal strength between our two cities.
- The sporting community of Liverpool, particularly Beth Tweddle, Steve Parry and Tony Bellew who became the sporting faces of our bid and brought their valuable insight to both the plans and our presentation.
- Garth Dallas, Phil Redmond and Michael Parkinson for their significant contribution and expertise on the bid team.
- The large number of council staff who contributed to the bid, across directorates and in addition to their existing duties.

Council believes that Liverpool's bid was a bold plan to host the games, using world class venues on the iconic Mersey waterfront, transforming areas of the city's northern docks. Successfully hosting the Games would accelerate £1bn of regeneration including:

- 1,700 new homes in the north docks [£315M]
- Everton FC's new stadium at Bramley-Moore [£350M]
- 10 Streets Stadium Gateway Development [£200M]
- Kings Dock destination development [£140M]

Council expresses its congratulations and best wishes to Birmingham with a formal communication from Liverpool to that effect.

Finally, Council also wishes to reserve its biggest thanks for the people of Liverpool, who have embraced the ambitious vision for both the Commonwealth Games and Liverpool's place on the world stage. It is their energy, passion, humour and compassion which drives our city forward.

MOTIONS FOR DEBATE SUBMITTED BY MEMBERS
(a period of 20 minutes has been allocated for each debate)

10. Cigarette butts can kill by Councillors Nick Croft and Paul Brant
--

Council recognises the serious threat to the health of human infants and animals posed by discarded cigarette butts.

Council accepts the findings of an article in the British Medical journal that discarded '*cigarette butts may present health risks to human infants and animals...*' and '*in aquatic environments may cause exposure to additional toxic*

chemicals’.

Council agrees with the BMJ that ‘*the ubiquity of cigarette butt waste and its potential for adverse effects on human and animal health warrants additional....policy interventions to reduce the stream of these pollutants in the environment*’.

Council rejects the argument that discarding cigarette butts is a trivial offence and welcomes the fact that 1,949 fixed penalty notices were issued for littering offences in July this year alone.

Council calls on the Mayor and the Cabinet Member responsible to continue their efforts to crack down on litter and dumping and promote pride in our city.

11. Under-funding of Liverpool NHS by Councillor Paul Brant

This Council condemns the drastic underfunding of the Liverpool NHS which is leading to cuts in local provision. The national funding settlement given to the local Primary Care Trust and latterly Clinical Care Group has dramatically reduced since the Conservative/Liberal Democrat coalition came into Government and has been continued under the Tory Government.

Council notes that –

1. the respected King’s Fund states that Health Service inflation runs at approximately 3-4% per year;
2. the demand pressures arising from demographic pressures, drug price inflation and complex treatments require increased funding to ensure that the Health Service can respond;
3. since the 2011 settlement, paid in 2012 the Liverpool NHS has received the lowest rates of increase in NHS funding in the Country – whereas other more affluent areas have received considerably greater increases;
4. in addition, last minute changes in NHS business rules imposed nationally have meant that substantial parts of the allocated funding are frozen from monies available to be spent in Liverpool;
5. Public Health funding has also experienced cuts of £8.3 million (2015 to 2017) with £2.4 million more to be found by 2020 (total reduction of just under 20% of total grant); and
6. the Funding settlement figures are set out below;

Year	Uplift	NHS Org
2017	2.43%	CCG
2016	1.70%	CCG
2015	2.14%	CCG
2014	2.30%	CCG
2013	2.80%	PCT
2012	2.80%	PCT
2011	5.14%	PCT

2010	5.24%	PCT
2009	5.50%	PCT
2008	9.57%	PCT
2007	9.76%	PCT
2006	11.11%	PCT
2005	11.49%	PCT
2004	11.86%	PCT
2003	9.58%	HA
2002	8.99%	HA

Council notes that Liverpool has some of the highest levels of deprivation in England and associated levels of poor health. Council applauds the hard work done by local NHS staff, organisations and trade unions who strive tirelessly to improve the health of Liverpool residents.

Council therefore calls on the City Mayor to write to the Chancellor of the Exchequer and Secretary of State for Health to ensure that Government properly fund Liverpool's NHS and calling for Government to refund the sum of £32m which Liverpool CCG would have received if it had received the average national increase in NHS funding since 2013/14.

12. Job Centre co-location proposals by Councillors Barry Kushner, Alan Walker, Sharon Ross, Clare McIntyre, Dave Cummings, Rosie Jolly, James Noakes, Roz Gladden and Irene Rainey

Council expresses deep concern regarding the Government's intention to close four job centres in the city: Wavertree, Norris Green, Edge Hill and Aintree. 78 job centre sites are affected by the DWP plans nationally and more than 10% of those sites are in Liverpool and the wider Liverpool City Region.

Council notes that the closure of local job centres will have a detrimental impact upon those reliant on job centre services. For people on extremely low incomes, the extra cost of travelling to more distant job centres will be prohibitive and whilst many customers may use online services, the very poorest in our communities continue to suffer from digital exclusion. The provision of an accessible Job Centre is key to ensuring that many of our residents access the job support they need to gain employment. Without that support, many people will fall further away from the labour market and are at greater risk of sanction.

In order to protect the city's residents, the City Mayor has identified a viable alternative to closures through co-location of services on council sites. Excellent joint work has already been undertaken in co-locating JCP and Liverpool City Council services within St John's market (a non DWP building). Council believes this demonstrates that models do exist whereby existing job centre services can be kept close to the communities they serve.

Inspired by the St John's model the City Mayor has put forward the following proposals:

Proposal 1 - Norris Green JCP to co locate with Norris Green Library and One Stop Shop. 28 desks have been identified to facilitate the move, 24 staff are currently based at Norris Green JCP so ample space has been identified. A separate entrance for JCP staff is available as is the ability for a front of house service and meeting room. Claimants will be able to access One Stop Shop services and library IT provision on site making their job search easier.

Proposal 2 - Wavertree JCP to co locate with Wavertree One Stop Shop. 26 desks have been identified to facilitate the move, 21 staff are currently based in Wavertree JCP so again ample space has been identified. Residents will be able to access One Stop Shop services on site.

Further options are also being explored for Edge Hill and Aintree Centres.

Council welcomes the City Mayor's proposals to save services as have city MPs who have praised the council's "innovative and flexible approach in identifying sites close to two of the existing Job Centres that have been earmarked for closure and to its commitment to identify further sites to mitigate the impact of other proposed site closures."

Council backs the City Mayor's proposals and urges him and the Cabinet Member for Employment and Skills to write to the Minister for Employment, urging him to –

- suspend any planned changes to Job Centre services in the city so the possibility of co-locations can be fully explored; and
- identify a relevant member of the Department for Work and Pensions who can work with the city in exploring these proposals.

13. Street Charter by Councillor Pam Thomas

Council recognises the problems presented by pavement parking and other street hazards in many parts of the city. There are particular problems for people with a visual impairment, wheelchair users, others with limited mobility and those who have difficulties with perception (for example dementia, autism, anxiety, ADHD), also people with children in pushchairs or buggies.

Council welcomes the work undertaken by the Council's Corporate Access Forum, officers and Cabinet Members in developing the Street Charter as previously agreed by Council and looking at ways to put it into practice. This includes ways of tackling:

- inaccessible crossings;
- new developments: shared space;
- parking on pavements;
- advertising boards (A-boards);
- street and cafe furniture;
- wheeled bins and refuse bags; and
- overgrown shrubberies and branches.

In particular the Council welcomes the decision to:

- identify areas where pavement parking poses a risk to the public, including areas where there are double yellow lines where additional parking enforcement is required, and areas without double yellow lines where a TRO is required;
- develop a work plan for officers to action other items in the street charter; and
- add an action to identify funds to increase the number and quality of dropped kerbs at uncontrolled crossing points.

Council calls on councillors and officers to support this work and other actions coming from the Street Charter, and for the Cabinet Member to report on progress to the Neighbourhoods Select Committee within the next six months.

14. Cross Rail for the North by Councillor Liam Robinson

Council notes with dismay the recent announcement by the Government to cancel vital rail electrification schemes in the North of England. This was then followed by the Secretary of State for Transport announcing the Government's support for the Crossrail 2 project in London. Council notes that according to the HM Treasury figures the Government spending on transport per person is six times higher in London than in the North of England. Council believes that this spending approach is not just unfair but also economically illiterate as the lack of spending on transport infrastructure in the North is holding back economic growth in our region.

Council believes that significant investment in transport infrastructure is vital to rebalance the British Economy, and to begin this process calls on the Government to commit to develop and deliver "Crossrail for the North" (also known as Northern Powerhouse Rail or HS3) a new high speed rail network linking the key cities of the North from Liverpool to Hull, as the next National Infrastructure Priority. Council believes that this is vital to produce faster journeys for passengers and produce more rail capacity for the movement of goods and freight as a key part of a low carbon future for our country. Council also notes the significant economic boost that this infrastructure will deliver as work commissioned by the Combined Authority indicates that the Liverpool to Manchester Leg of Crossrail for the North, with a link onto HS2, will deliver around £16 Billion of economic growth to the local and national economies.

Council requests the City Mayor writes to the Prime Minister to inform her of this motion.

15. Vision Zero by Councillors Sarah Jennings, Lawrence Brown, Tom Crone and Anna Key

Council applauds the efforts of the Vision Zero campaign to make road safety a high priority in towns and cities around the world.

Vision Zero is based upon the belief that zero is the only acceptable number of deaths and serious injuries in the road traffic environment. It recognises that we humans make mistakes that can end in tragedy while driving and so places the onus of avoiding such tragedies on all those responsible for the total road traffic system.

Council recognises the work undertaken by this authority in recent years to invest in its highways, but notes that the number of deaths and serious injuries due to traffic incidents remains stubbornly high and that since 2010 Merseyside has witnessed a 12% increase in the number of people killed or seriously injured on its roads: <http://www.merseysidepcc.info/home/about-us/janes-priorities.aspx#Priority5>

Further, it is widely recognised that working alone, a local authority cannot achieve the desired outcome of zero deaths and serious injuries on its highway network and that joint working among relevant agencies is necessary to tackle the many elements that lead to collisions.

Council therefore welcomes the positive action by the Police and Crime Commissioner for Merseyside to add a fifth item to her list of priorities, namely to "work in partnership to improve road safety".

Council also notes that the Liverpool City Region Mayor has transport, planning, and investment within his portfolio and is in an ideal position to drive forward the aims of the Vision Zero campaign across the region.

Liverpool prides itself for having been a trailblazer for public health for centuries. As a modern, forward-thinking city we are willing to look at sustainable solutions to health problems facing a growing city, such as, among others, the increased risk of collision between motor vehicle and pedestrian that comes with increasing population and visitor numbers, along with poor air quality: problems which can be substantially addressed through the implementation of concepts such as Vision Zero.

Liverpool should stand as a forerunner with other major cities in the UK such as Manchester and London, Edinburgh and Bristol, and cities and countries around the world including Sweden, Norway, The Netherlands, New York, Boston, Toronto and others in embracing this aim.

Council therefore requests the City Mayor to work alongside the Liverpool City Region Mayor, the Police and Crime Commissioner and all relevant agencies in committing support for the aims of the Vision Zero campaign and developing a strategy to achieve the goal of reducing the number of killed and seriously injured on the city's roads.

MOTIONS NOT APPROVED FOR DEBATE

The following motions to be dealt with in accordance with Standing Order 20.4.

16. The Umbrella Project by Councillors Lynn Hinnigan and Joanne Calvert

Council recognises the work of the ADHD Foundation in helping hundreds of local children and their families with ADHD and other 'invisible' neurological conditions, such as autism.

Council further congratulates Dr Tony Lloyd, Chief Executive of the ADHD Foundation on The Umbrella Project installation in Church Alley to raise awareness of ADHD and autism. The project, entitled to highlight the 'umbrella terms' of ADHD and autism, has hand written notes from children from across Merseyside, some who have neurological conditions. The umbrella symbolise the superpowers of all children and adults with ADHD, to showcase their gifts and skills, employability and challenging the stigma. The Umbrella Project went viral on social media featuring on ITV News, BBC news, Songs of Praise and at one point over the summer the umbrellas were the most instagrammed place to visit in the country.

Council notes that since end of June, the Umbrella Project has sparked interest from cities & counties across the world: Dubai, Cluj in Romania, Córdoba in Argentina and even Kendal in the U.K, to name a few, eager to replicate Liverpool's achievement in raising awareness of these conditions following Mayor Joe Anderson's pledge for Liverpool to become the first ADHD and autism friendly city in the UK.

17. ISS Facilities Management Limited at the Royal Liverpool & Broadgreen University Hospitals NHS Trust by Councillors Nick Small and Ann O'Byrne

Council notes that staff employed by ISS Facilities Management Limited (ISS) provide vital services at the Royal Liverpool and Broadgreen University Hospitals NHS Trust (RLBUHT), cleaning hospital wards, transporting patients around hospital departments and cooking for patients, visitors and staff.

Council notes the changes that ISS have made to the sick pay scheme for facilities management workers at RLBUHT and only one other NHS Trust in the country, which has reduced sick pay to 12 days.

Council notes that this means that staff who are the most seriously ill and most in need of time away from work, workers suffering from illnesses like cancer, heart problems or physical injuries, are the people who are faced with the difficult decision of either working when medically unfit to do so or facing severe

financial difficulties due to not being paid.

Council further notes the collective grievance containing over 270 names submitted by Unite the Union to ISS management calling for the full sick pay scheme to be reinstated, which has so far been repeatedly ignored by ISS management.

Council therefore calls on ISS as a responsible employer to negotiate with Unite with a view to reinstating the full sick pay regime so that ISS facilities management staff at RLBUHT have access to a fair sick pay scheme on the same basis available to NHS workers and ISS worker at other NHS Trusts and also calls on the RLBUHT Board and management to put pressure on ISS to make this happen.

Council requests that the City Mayor writes to the Chief Executives of ISS and RLBUHT outlining the terms of this motion.

18. Gender Balance in Local Government by Councillors Tricia O'Brien and Emily Spurrell

This Council acknowledges the recommendations contained within the Women in Local Government Commission Final Report and –

- requests the Independent Panel on Member Allowances undertake a review of the provision of support to Councillors who are parents and carers including considering the introduction of a formal maternity, paternity and adoption policy for councillors and reviewing the provision of allowances towards childcare costs
- endorses the principles and behaviour standards as set out in the City Council's Code of Conduct for Elected Members towards tackling all forms of discrimination and to continue to promote equality of opportunity by gender; and
- notes and endorses the continuing work of the City Council towards promoting diversity of representation by breaking down the barriers that disabled, women and the BAME community face.

19. Online homesharing platforms and other forms of unregulated short-term letting by Councillors Laura Robertson-Collins, Nick Small and Hetty Wood

Council notes the rise of online homesharing platforms, like Airbnb, which provide accommodation within hosts' own homes and other forms of unregulated short-term letting.

Council broadly welcomes online homesharing platforms and believes that they can contribute to Liverpool's visitor economy offering more choice to visitors, providing hosts with the opportunity to earn additional income and use property

more productively, but believes that online homesharing platforms need to be properly regulated and managed to reduce the negative impact homesharing can have on neighbours and in communities with large numbers of homesharing properties.

Council notes that such negative impacts can be noise and anti-social behaviour from irresponsible guests, environmental pressures on local authorities and reducing the supply of affordable housing in the private rented sector.

Council notes that some regulation does exist around homesharing – for example, in London only regulation exists that permits casual lets of up to 90 days in a given year are permitted, but hosts are required to apply for change-of-use planning permission for more than 90 days, but outside London planning authorities have to rely on the ‘material change of use’ rule.

Council believes that such regulation is not smart enough, comprehensive enough and was put in place before technologies that allow homesharing existed. Council further notes that homesharing arrangements as laid out above are not covered by mandatory or selective licensing, as the property is not classed as their only or main residence.

Council therefore calls on the City Mayor to write to the Secretary of State for Communities, Leader of the LGA and Chief Executive of Airbnb to request the following:

- homesharing sites should automatically cap homesharing activities at 90 days per home per calendar year as a default;
- homesharing sites should share their data with local authorities;
- legislation to be introduced to allow local authorities to set up a register of homesharing properties and hosts within their areas to ensure that minimum standards are met and that hosts meet a fit and proper test;
- planning legislation reformed so areas outside of London are covered by the 90-day rule; and
- ensure proper regulation of all unregulated short-term letting.

20. Review of gaming machines and social responsibility measures by Councillors Nick Small and Sharon Sullivan

Council notes that on 6 November 2013 Liverpool City Council became the first local authority in the country to call for a ban on Fixed-Odds Betting Terminals (FOBTs) in betting shops.

Council notes that, unlike fruit machines in pubs, bingo halls and amusement arcades where cash stakes are limited to £2, gamblers can bet on debit cards up to £100 every 20 seconds on FOBTs to win a jackpot of £500 – more than 4 times as fast as the rate of play in casinos.

Council notes that in 2016 the Campaign for Fairer Gambling estimated that people in Liverpool gambled £641 million on FOBTs and lost £23.9m – some of

the highest rates in the country.

Council further notes the review of Gaming Machines and Social responsibility measures, as announced by the Department of Culture, Media and Sport (DCMS) in October 2016. Council notes that DCMS Ministers are due to respond to this review in October this year.

Council therefore resolves to underline its opposition to FOBTs and calls on the Government to take action to reduce the maximum bet on FOBTs to £2 per spin and slow down the rate of play. Council request the City Mayor to write to the Secretary of State for Culture, Media and Sport to outline the City Council opposition to FOBTs and demanding action to curb FOBTs.

21. 'Save our kids from sugar' by Councillor Tim Beaumont

Council notes that dental health research in Liverpool makes stark reading, with almost a third of five-year-old children in Liverpool have decayed, missing or filled teeth and on average 2 children a day aged under 10 have to be admitted to hospital to get teeth removed. Sugar also affects the weight of our children, with more than 23% of year six children are obese in Liverpool and almost 40% are overweight or obese. High amounts of sugar in diets, particularly in breakfast cereals and drinks are a massive contributory factor, often hidden or packaged as 'healthy' alternatives.

Council recognises the 'Save our Kids from Sugar' campaign by Public Health, Liverpool City Council to highlight which breakfasts and drinks have the highest levels of sugar and to help parents work out how much sugar their child is eating over an average day.

Council appreciates that since the campaign's launch on 19th June 2017:

- Save our Kids from Sugar website has received 20,000 hits.
- Over 4,473 people have completed the sugar checker tool – 70% of the results are over the Daily Recommended Allowance of sugar intake.
- YouTube videos have been viewed 73,910 times.
- Digital adverts have been seen over 2,000,000 times
- Tweets have been seen over 58,430 times and we have had 1,141 re-tweets, replying and likes, far above industry standard.
- Jamie Oliver's Food revolution have tweeted and re-tweeted our campaign to over 132,000 followers. Food revolution have agreed to support the campaign going forward and have copies of our resources.
- Campaign reported by BBC worldwide, BBC news, Daily Mail, Liverpool Echo, Liverpool Echo Family Health Supplement, Radio City, radio Merseyside, Capital Radio, Sky Radio, BBC North West, Made in Liverpool.
- Over 35 schools across the city are using the campaign resources.

The Community Health Ambassador Team (CHATS) have held 24 events

across the city and given advice to over 2,770 people. Events have been held in supermarkets, children centres, schools, community centres, City Centre, Alder Hey, CAB, Walton Festival. Comments from the public include:

- “So glad I stopped. The information you are given is great. Who knew!”
- “I was really surprised at how much sugar was in the cereal I have been given to my son. I will change this to a healthier option.”
- “I am very shocked at the amount of sugar that my child intakes. I will be making big changes.”
- “It’s a really good program, makes more awareness’s and consciousness about intake of sugar and about health. Well done”
- “Brilliant event, the sugar consumption really opened my eyes.”

Council recognises the contribution of Public Health Liverpool, CHATS in the success of this campaign and to all those who have helped to highlight this issue, in supporting the health of our children’.

22. Private Landlords, Planning permission and payment of tax by Councillor Richard Kemp, CBE
--

Council notes that in a recent exercise conducted by HMRC and the Council in Newham it was found that up to half of all private landlords registered in the Borough appeared not to be declaring their income to the tax authorities.

Council therefore requests the City Mayor to –

1. continue to assist HMRC in their ongoing campaign to ensure private landlords pay their fair rate of tax and actively use enforcement powers to crack down on poor quality landlords;
2. subject to feasibility and compatibility with Data Protection and Investigatory Powers legislation, Officers be requested to review all buy to let mortgages registered with the Land Registry with a view to ensuring that all landlords are properly registered and their properties checked for safety and other requirements; and
3. submit a report to the relevant Select Committee outlining the procedures for assessing properties using the student discount, the frequency with which checks are carried out and whether any other measure can be taken by Council or by Government in ensuring that this is legitimately used.

23. Review of residential accommodation in Liverpool by Councillors Richard Kemp, CBE and Andrew Makinson
--

Council believes that there is a potential problem in the City caused by the overprovision of student and general flatted accommodation and that this problem is exacerbated by the fractional marketing techniques being used to promote both failed and active developments.

Accordingly, it requests the City Mayor to conduct an urgent review into the property market in Liverpool indicating:

- how many units of all types are on site;
- how many units of all types are empty;
- the total number of units of all types for which planning permission has been approved and which are on site and being built; and
- the number of units of all types for which planning permission has been granted and which are not yet on site.

And as part of the review look at –

- the needs of the City for student accommodation based on a static student population; one that grows by 5% in the next 5 years and one which decreases by 5% in the next five years; and
- the needs of the City for flatted accommodation based on a 5% growth and a 10% growth in the City's population over the next 10 years.

24. Liverpool City Region Taxi Licensing by Councillors Malcolm Kelly and Richard Kemp, CBE
--

Council welcomes the statement from the Local Government Association that there needs to be minimum standards and a common licensing framework for all Taxis and private hire vehicles.

It notes the immediate problems due to differences in the licensing criteria being applied by authorities in the Liverpool City Region where vast numbers of licences are being granted without any 'topographical local knowledge' tests and that many of the licensees then try to make their money in the Liverpool City Centre as a result of national deregulation of taxi licensing.

It believes that public vehicle drivers should know more than just the way to get from one place to another using Apps. These people are often the first people to meet people coming to the City and the last to see them and it is, therefore crucial, that they are knowledgeable about the city and able to act as our internal ambassadors in many ways.

It notes that on busy nights there can be up to 2,500 PH and Hackney vehicles looking for business in the City and that on most nights there are only two licensing staff on duty. These staff then sometimes have to change uniform to issue FPN tickets for offender parking in taxi bays.

Accordingly, it requests –

- City Mayor to consider increasing the number of licensing and taxi enforcement staff on duty on Wednesday, Thursday, Friday and Saturday nights on the basis that this should be self-financing from fine income; and

- the Liverpool City Region Mayor to speed up the suggestion already being made of a common licensing standard, training mechanism and control mechanisms which operates throughout the City Region and combining the Taxi function as one seamless operation in the City Region.

25. Payment of Council Tax by Councillors by Councillors Mirna Juarez and Andrew Makinson

Council notes with concern the recent media coverage in respect of none or late payment of Council Tax by Councillors. Whilst recognising that Councillors have the same problems as any other citizen of the City we have a duty to set a good example to all tax-payers to pay Council Tax on time.

Council therefore undertakes to continue to offer the opportunity to all Councillors to voluntarily agree the deduction of Council Tax at source from their Councillor's allowances to ensure that such problems are not repeated.

26. Universities and Student Numbers by Councillors Malcolm Kelly and Richard Kemp, CBE

Council notes with concern the recent news that Government has been wholly wrong in its assessment that 100,000 students were staying in the UK after finishing their courses and that the true number is less than 5,000.

It notes that the Government still intends to include student numbers in its gross migration figures which is leading to suggestions that the number of students coming into the Country will be severely limited.

It further notes that Liverpool has more than 10,000 undergraduate students at any time and more in post graduate and research studies. Each of these students being worth £19,000 to the Liverpool economy in addition to the other benefits Liverpool obtains from getting such people into and familiar with our City.

Accordingly, it requests the City Mayor to write to the Prime Minister and all MPs and Peers from Liverpool requesting that student numbers be withdrawn from immigration figures and the Country recognises the huge boost to our economy from the popularity of our Universities and other educational institutions.

27. Port of Liverpool Access by Councillors Lawrence Brown, Tom Crone, Sarah Jennings and Anna Key

Council notes the decision of Highways England to declare that the preferred route of the A5036 Port of Liverpool access involves the construction of a new

road, connecting the port with Broom's Cross Road and eventually the motorway network via Rimrose Valley Country Park.

Council further notes that, although wholly within the Sefton Borough Council area, the new road will impact on Liverpool's highway network as a result of the increased traffic on arterial routes into the city.

Council is concerned that, if the new proposed road is built, additional traffic levels will have a major environmental impact, increasing already high pollution levels in the city as well as causing a substantial physical impact on carriageways. The ability of the Council to improve air quality would be seriously affected by this scheme and damage to the city's highways would increase in the long term.

Council therefore requests the City Mayor to write to Highways England objecting to the proposal to build a new road, particularly one which cuts a swathe through a vital area of green belt land and requesting that preference is given to improving rail and canal links to minimise the need to transport goods to and from the port by road. Further, a request should be included to consider introducing a system of road pricing as a means of reducing the number of current road based journeys.

28. Reducing single-use plastic (SUP) in Liverpool by Councillors Lawrence Brown, Tom Crone, Sarah Jennings and Anna Key

Council notes that according to recent research, eight million tons of plastic waste ends up in the world's oceans each year, endangering marine life and entering the food chain. In addition to this environmental catastrophe, there is a growing understanding of the risks posed to human health by toxic chemicals present in plastics.

Council also notes that following the introduction of the 5p bag charge in England in 2015, the use of single-use plastic bags dropped by 83% in the first six months. This outcome proves that tough action by government and regulatory authorities to control the use of plastics can be effective. Similar and more wide-ranging actions against the use of plastic have been imposed by countries and states throughout the world.

Council believes that the reduction of single-use plastic would benefit human health in the city and therefore requests the City Mayor and Cabinet to –

1. Develop a robust strategy to ensure Liverpool City Council phases out the use of single-use plastics (SUP) in its activities within the next two years.
2. Work with partners and other large institutions e.g. the Universities and NHS in the city to encourage them in developing similar strategies to reduce the use of SUP.
3. Compile contract specifications to ensure that SUP does not form part of the activities of Council contractors in future contracts.
4. Inform traders and other events based organisations of the reasons for phasing out SUP and develop ways to assist them in the transition to

using alternatives.

29. Solar Power by Councillors Tom Crone, Lawrence Brown, Sarah Jennings and Anna Key

Council welcomes the recent Government announcement that £1 billion is to be spent on installing solar panels on 800,000 homes in the social housing sector in England and Wales over the next five years.

Council therefore requests the City Mayor and Cabinet to work with companies and partners to investigate how the City Council and the city generally can benefit from the installation of solar panels on homes and public/commercial buildings including those buildings owned by the City Council.

Council further requests the City Mayor and Cabinet to draw up proposals for the Council's energy company, LECCY to extend its remit to include the installation of solar panels.

Agenda



Newport City Council

Date: Tuesday, 25 July 2017
Time: 5.00 pm
Venue: Council Chamber, Civic Centre, Newport
To: **All Members of the City Council**

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's internet site.

At the start of the meeting the Mayor or Person Presiding will confirm if all or part of the meeting is being filmed. The images and sound recording may be also used for training purposes within the Council.

Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the Chief Democratic Services Officer.

Item	Wards Affected
1. <u>Agenda yn Gymraeg</u> (Pages 5 - 8)	
2. <u>Apologies</u>	
3. <u>Declarations of Interest</u>	
4. <u>Preliminaries</u>	
5. <u>Minutes</u> (Pages 9 - 22)	
6. <u>Appointments</u> (Pages 23 - 38)	
7. <u>Police Issues</u>	
8. <u>Standing Orders</u> (Pages 39 - 42)	All Wards
9. <u>Director of Social Services Annual Report</u> (Pages 43 - 96)	All Wards
10. <u>Pillgwenlly Public Space Protection Order</u> (Pages 97 - 110)	
11. <u>Democratic Services Committee Annual Report</u> (Pages 111 - 118)	

Contact: Eleanor Mulligan
Tel: 01633 656656
E-mail: eleanor.mulligan@newport.gov.uk
Date of Issue: Wednesday, 19 July 2017

12. Questions to the Chair of Cabinet

To provide an opportunity for councillors to ask questions to the Chair of the Cabinet in accordance with the Council's Standing Orders.

Process:

No more than 30 minutes will be allocated at the Council meeting for oral questions to the Leader

If members are unable to ask their question orally within the allocated time, remaining questions will be answered in writing. The question and response will be appended to the minutes.

The question must be addressed through the Mayor or the person presiding at the meeting and not directly to the person being questioned.

13. Questions to the Cabinet Members

To provide an opportunity to pose Questions to Cabinet Members in line with Standing Orders

Process:

No more than 10 minutes will be allocated at the Council meeting for questions to each Cabinet Member.

Members will have needed to submit their proposed questions in writing in accordance with Standing Orders. If members are unable to ask their question orally within the allocated time, remaining questions will be answered in writing. The question and response will be appended to the minutes.

The question must be addressed through the Mayor or the person presiding at the meeting and not directly to the person being questioned.

Questions will be posed to cabinet members in the following order:

- I. Deputy Leader and Cabinet Member for Assets and Member Development
- II. Cabinet Member for Education and Skills
- III. Cabinet Member for Social Services
- IV. Cabinet Member for Regeneration and Housing
- V. Cabinet Member for Community and Resources
- VI. Cabinet Member for Streetscene
- VII. Cabinet Member for Licensing and Regulation
- VIII. Cabinet Member for Culture and Leisure

For Information: *A digest of recent decision schedules issued by Cabinet, Cabinet Members and Minutes of recent meetings of Committees has been circulated electronically to all Members of the Council.*

14. Questions to the Chairs of Committees

To provide the opportunity to pose questions to the Chairs of the Comn following order:

- I. Scrutiny Committees

- Overview and Scrutiny Management Committee
- Performance Scrutiny Committee – People
- Performance Scrutiny Committee – Place and Corporate
- Performance Scrutiny Committee – Partnerships

II. Planning Committee

III. Licensing Committee

IV. Democratic Services Committee

Process: *No more than 10 minutes will be allocated at the Council meeting for questions to each Chair.*

Members will have needed to submit their proposed questions in writing in accordance with Standing Orders. If members are unable to ask their question orally within the allocated time, remaining questions will be answered in writing. The question and response will be appended to the minutes.

The question must be addressed through the Mayor or the person presiding at the meeting and not directly to the person being questioned.

15. Standards Committee (Pages 119 - 122)



You are hereby summoned to attend a meeting of **CITY COUNCIL** in the Council Chamber
- at the Council House on Monday, 16 January 2017 at 2.00 pm to transact the following
business

<u>AGENDA</u>	<u>Pages</u>
1 APOLOGIES FOR ABSENCE	
2 DECLARATIONS OF INTERESTS	
3 QUESTIONS FROM CITIZENS	
4 PETITIONS FROM COUNCILLORS ON BEHALF OF CITIZENS	Verbal Report
5 TO CONFIRM THE MINUTES OF THE LAST MEETING OF COUNCIL HELD ON 14 NOVEMBER 2016	5 - 24
6 TO RECEIVE OFFICIAL COMMUNICATIONS AND ANNOUNCEMENTS FROM THE LEADER OF THE COUNCIL AND/OR THE CHIEF EXECUTIVE	Verbal Report
7 QUESTIONS FROM COUNCILLORS - TO THE CITY COUNCIL'S LEAD COUNCILLOR ON THE NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AND RESCUE AUTHORITY	To Follow
8 QUESTIONS FROM COUNCILLORS - TO A MEMBER OF EXECUTIVE BOARD, THE CHAIR OF A COMMITTEE AND THE CHAIR OF ANY OTHER CITY COUNCIL BODY	To Follow
9 MEMBERS' ALLOWANCES SCHEME - REPORT OF THE INDEPENDENT REMUNERATION PANEL Report of the Leader	To Follow
10 DECISIONS TAKEN UNDER URGENCY PROCEDURES Report of the Leader	25 - 30
11 AMENDMENTS TO THE CONSTITUTION Report of the Leader	31 - 32
12 DECLARATION ON ALCOHOL Report of the Portfolio Holder for Adults and Health	33 - 38

13 MOTION

Motion in the name of Councillor Alex Norris:

“The Council notes:

- The impact of harmful drinking in our communities
- The impact that alcohol has on health inequalities
- The Full Council Motion in the name of Councillor Ball passed in October 2013
- That Nottingham has received 7 consecutive Purple Flag Awards for its vibrant and safe Night Time Economy

This Council will:

- Sign the Nottingham City Declaration on Alcohol
- Encourage and support public, private and community sectors in the city to sign the Declaration.”

14 MOTION

Motion in the name of Councillor Corral Jenkins:

“Super Kitchen is a network of social eating spaces that aims to bring communities together to enjoy good food that would otherwise be wasted. There are currently 20 operating in Nottingham and Nottinghamshire and they focus on the values of community, social eating and combating food waste.

The City Council recognises that:

- Eating as part of a group can provide both physical and mental health benefits and improve wellbeing
- Loneliness and isolation affects many members of our communities and social eating is an effective way to help to combat this
- Social eating and community events based around meals can improve social cohesion
- Food waste is extensive across the City and recycling surplus food should be encouraged

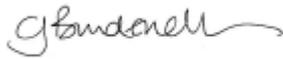
The City Council therefore supports the ambition to establish Nottingham as the UK's 1st social eating City, starting with the launch event today. The Council also supports the implementation of three key pledges by the end of the campaign:

- By year's end, there will be a Super Kitchen in every area of the City
- Every day of the week, somewhere in the City, there will be a Super Kitchen meal available

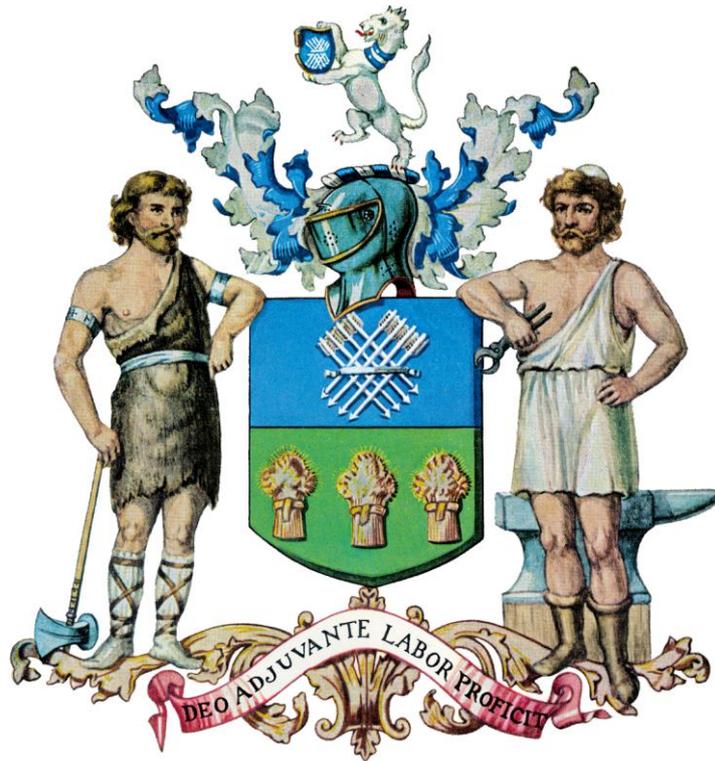
- Each Super Kitchen will offer free meals for those in need via a Super Spoon, 'pay it forward' meal campaign."

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT RAV.KALSI@NOTTINGHAMCITY.GOV.UK OR 0115 8763759, IF POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT WWW.NOTTINGHAMCITY.GOV.UK. INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER SHOWN ABOVE IN ADVANCE.



Dated 6 January 2016
Corporate Director for Strategy and Resources
To: All Councillors of Nottingham City Council



Council

Wednesday 6 September 2017

5.00 pm

**Council Chamber, Town Hall,
Pinstone Street, Sheffield, S1 2HH**

The Press and Public are Welcome to Attend

COUNCIL

Wednesday 6 September 2017, at 5.00 pm
Council Chamber, Town Hall, Pinstone Street, Sheffield, S1 2HH

The Press and Public are Welcome to Attend

MEMBERS OF THE COUNCIL

THE LORD MAYOR (Councillor Anne Murphy)
THE DEPUTY LORD MAYOR (Councillor Magid Magid)

1	<i>Beauchief & Greenhill Ward</i> Andy Nash Bob Pullin Richard Shaw	10	<i>East Ecclesfield Ward</i> Pauline Andrews Andy Bainbridge Steve Wilson	19	<i>Nether Edge & Sharrow Ward</i> Mohammad Maroof Jim Steinke Alison Teal
2	<i>Beighton Ward</i> Helen Mirfin-Boukouris Chris Rosling-Josephs Ian Saunders	11	<i>Ecclesall Ward</i> Roger Davison Shaffaq Mohammed Paul Scriven	20	<i>Park & Arbourthorne Ward</i> Julie Dore Ben Miskell Jack Scott
3	<i>Birley Ward</i> Denise Fox Bryan Lodge Karen McGowan	12	<i>Firth Park Ward</i> Abdul Khayum Alan Law Abtisam Mohamed	21	<i>Richmond Ward</i> Mike Drabble Dianne Hurst Peter Rippon
4	<i>Broomhill & Sharrow Vale Ward</i> Michelle Cook Kieran Harpham Magid Magid	13	<i>Fulwood Ward</i> Sue Alston Andrew Sangar Cliff Woodcraft	22	<i>Shiregreen & Brightside Ward</i> Dawn Dale Peter Price Garry Weatherall
5	<i>Burngreave Ward</i> Jackie Drayton Talib Hussain Mark Jones	14	<i>Gleadless Valley Ward</i> Lewis Dagnall Cate McDonald Chris Peace	23	<i>Southey Ward</i> Mike Chaplin Tony Damms Jayne Dunn
6	<i>City Ward</i> Douglas Johnson Robert Murphy Moya O'Rourke	15	<i>Graves Park Ward</i> Ian Auckland Sue Auckland Steve Ayriss	24	<i>Stannington Ward</i> David Baker Penny Baker Vickie Priestley
7	<i>Crookes & Crosspool Ward</i> Craig Gamble Pugh Adam Hanrahan Anne Murphy	16	<i>Hillsborough Ward</i> Bob Johnson George Lindars-Hammond Josie Paszek	25	<i>Stocksbridge & Upper Don Ward</i> Jack Clarkson Richard Crowther Keith Davis
8	<i>Darnall Ward</i> Mazher Iqbal Mary Lea Zahira Naz	17	<i>Manor Castle Ward</i> Lisa Banes Terry Fox Pat Midgley	26	<i>Walkley Ward</i> Olivia Blake Ben Curran Neale Gibson
9	<i>Dore & Topley Ward</i> Joe Otten Colin Ross Martin Smith	18	<i>Mosborough Ward</i> David Barker Tony Downing Gail Smith	27	<i>West Ecclesfield Ward</i> John Booker Adam Hurst Zoe Sykes
				28	<i>Woodhouse Ward</i> Mick Rooney Jackie Satur Paul Wood

John Mothersole

Chief Executive

Contact:

Paul Robinson, Democratic Services

Tel: 0114 2734029

paul.robinson@sheffield.gov.uk

PUBLIC ACCESS TO THE MEETING

The Council is composed of 84 Councillors with one-third elected three years in four. Councillors are democratically accountable to the residents of their Ward. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them

All Councillors meet together as the Council. Here Councillors decide the Council's overall policies and set the budget each year. The Council appoints the Leader and at its Annual Meeting will appoint Councillors to serve on its Committees. It also appoints representatives to serve on joint bodies and external organisations.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Members of the public have the right to ask questions or submit petitions to Council meetings and recording is allowed under the direction of the Chair. Please see the website or contact Democratic Services for further information regarding public questions and petitions and details of the Council's protocol on audio/visual recording and photography at council meetings.

Council meetings are normally open to the public but sometimes the Council may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last. If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**COUNCIL AGENDA
6 SEPTEMBER 2017**

Order of Business

1. APOLOGIES FOR ABSENCE

2. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

To approve, for the duration of this meeting, certain revisions to the Council Procedure Rules, as set out in the schedule included with this agenda, in order to implement changes to the operation of the full Council meeting in accordance with the outcome of the Review of Full Council Meetings Member Working Group.

3. DECLARATIONS OF INTEREST

Members to declare any interests they have in the business to be considered at the meeting.

4. PUBLIC QUESTIONS AND PETITIONS AND OTHER COMMUNICATIONS

(a) To receive any questions or petitions from the public, or communications submitted by the Lord Mayor or the Chief Executive and to pass such resolutions thereon as the Council Procedure Rules permit and as may be deemed expedient.

(b) Petition Requiring Debate

The Council's Petitions Scheme requires that any petition containing over 5,000 signatures be the subject of debate at the Council meeting. A qualifying petition has been received as follows:-

Night Café for the Homeless and Vulnerable

To debate an electronic petition entitled "Night Café for the Homeless and Vulnerable". The petition – <https://www.change.org/p/sheffield-city-council-night-cafe-for-the-homeless-vulnerable> - contains 7,538 supporters (as at 29th August) and includes the following wording:-

*Services at night & weekends are none existent. With the help of local businesses and volunteers we would like to run a night cafe for the most vulnerable within our city and to finally bridge the gap between charities & services from closing to opening.
The night cafe will also support services getting information out &*

help guide people to the right places and be a hub at weekends to act as further support for the outreach teams like street pastors and police to bring people instead of tying up emergency services.

(The following 4 items of business are Notices of Motion submitted in line with the outcome of the Review of Full Council Meetings Member Working Group. 2 further Notices of Motion are included on the agenda as items of business 13 & 14, as these were submitted at variance to the decision of the Working Group.)

5. NOTICE OF MOTION REGARDING "SECURING BETTER TRANSPORT FOR SHEFFIELD AND THE NORTH" - GIVEN BY COUNCILLOR JACK SCOTT AND TO BE SECONDED BY COUNCILLOR OLIVIA BLAKE

That this Council:-

- (a) welcomes the confirmation by the Government that high-speed services will run into Sheffield Midland station, and notes that the Labour Group have always championed the benefits of a city centre location for HS2 as this is where the greatest economic impact, transport benefits and job creation will be delivered;
- (b) applauds the leadership, determination and hard work of the Council Leader, Councillor Julie Dore, in securing a HS2 city centre location, which will bring the maximum benefits for the whole of South Yorkshire;
- (c) affirms that a city centre location is vital to ensuring Sheffield is well placed to maximise the benefits of HS2, and allows for the integration of HS2 with HS3, but believes this must extend to the north as well as to the south;
- (d) highlights that whilst we welcome the fact that HS2 Ltd have committed to funding a junction, this Administration will be seeking further commitments from the Government to ensure that the connection north of Sheffield is funded to enable high speed connections out of Midland and up to places like Leeds and Newcastle;
- (e) notes that despite the hugely positive news that HS2 will be coming to the centre of Sheffield, the Government have cancelled the electrification of the Midland Mainline which was due to be electrified by 2023; the Government have decided that 'bi-mode' trains - which can switch from electric to diesel power – will instead be introduced;
- (f) believes that this move is outrageous and will deny Sheffield faster, greener, more reliable train journeys which would have been a big boost to our economy and would have led to significantly improved

air quality, another key aspiration of this Administration, particularly given the Government's woefully inadequate Air Quality Plan;

- (g) believes that the Government's decision to cancel the electrification of the Midland Mainline is even more outrageous, given that the Government are continuing with Crossrail 2, a new London rail line, which will cost around £30 billion - denoting that whilst there is extra money for the south, the north continues to get neglected under this Government;
- (h) notes that despite this significant setback, it is encouraging that HS2 Ltd said they would ensure that Sheffield was HS2-ready so it could benefit from a spur into the city centre off the main line, being, therefore, unaffected by the Government's decision regarding the lack of electrification on the existing line from Sheffield to Kettering, and that this Administration will continue to hold HS2 Ltd to account to ensure this happens;
- (i) believes that as a nation we are too London-centric and too centralised; and that much more needs to be done to empower all England's regions; figures from the think-tank Institute for Public Policy Research (IPPR) show that funding per head in London for transport is £3,400 compared to just £427 per head in the north, and in total the north would have seen £59 billion more for transport if funded the same as London, and therefore, support is given to calls from Andy Burnham, Mayor of Greater Manchester, for this to be addressed urgently;
- (j) states that the disparity between transport in the north of England and London must now be addressed and reiterates comments made by Council Leader, Councillor Julie Dore, prior to the transport summit in Leeds, that the Government must:-
 - (i) commit to making an integrated transport network across the whole of the north and especially a commitment to a Northern Powerhouse Rail; and
 - (ii) commit to upgrades that will make an immediate difference – particularly reversing their decision to cancel the electrification of the Midland Mainline.

6. NOTICE OF MOTION REGARDING "TACKLING THE DAMAGE OF FIXED-ODDS BETTING TERMINALS" - GIVEN BY COUNCILLOR JULIE DORE AND TO BE SECONDED BY COUNCILLOR MAZHER IQBAL

That this Council:-

- (a) reiterates support for previous Council resolutions calling on the Government to give local authorities the powers they need to

- respond to concerns from their local communities and stop the proliferation of Fixed Odds Betting Terminal (FOBT) machines and betting shops;
- (b) notes that each betting outlet can provide four FOBT machines which offer casino style content, including games such as roulette, at up to £100 a spin, which can be wagered every 20 seconds;
 - (c) further notes there are now more than 35,000 FOBTs offering casino content on British high streets, illustrating this is a nationwide issue, and that there are also more than twice as many betting shops in the 55 local authority areas with the highest levels of deprivation compared with the most affluent 115, which are equivalent by population;
 - (d) notes the nationwide campaign by leading charities and religious groups to reduce the stakes on category B2 Fixed Odds Betting Terminals in betting outlets from £100 to £2 per spin, and notes that this something which the Government's own Department of Culture, Media and Sport (DCMS), which regulates the gambling industry, is examining;
 - (e) further notes that a recommendation from the DCMS was due in the summer and that the Secretary of State for Culture, Media and Sport (the Rt. Hon. Karen Bradley MP) has expressed frustration in Parliament about the delays;
 - (f) is dismayed by recent reports that the Chancellor has scrapped the review due to fears that cutting the stake to £2 would cost the Treasury in lost tax revenue;
 - (g) believes it is outrageous that the Government would make the decision on this basis and agrees with comments by Carolyn Harris MP, Chair of the all-party parliamentary group on fixed-odds betting terminals - "It is morally bankrupt to allow this situation to go on because of a misunderstanding of the economics of FOBTs. Britain will be financially better off if we take action on these machines."
 - (h) wholeheartedly supports the campaign to reduce the maximum stake of FOBT to £2;
 - (i) demands better planning powers to restrict the localised proliferation of bookmakers, who are currently opening multiple premises in clusters to facilitate more machines, in accordance with the wishes of the local community; and
 - (j) directs that a copy of this motion be sent to the Government to convey Sheffield's full support for reducing the cap to £2 and to demand better planning powers for local authorities to deal with this.

7. NOTICE OF MOTION REGARDING "THE ELECTRIFICATION OF MIDLAND MAINLINE" - GIVEN BY COUNCILLOR IAN AUCKLAND AND TO BE SECONDED BY COUNCILLOR JOE OTTEN

That this Council:-

- (a) regrets the Government's decision to scrap plans announced in 2012 by former Deputy Prime Minister, the Rt. Hon Nick Clegg, to electrify the Midland Mainline to Sheffield;
- (b) believes that the decision by Transport Secretary, the Rt. Hon. Chris Grayling MP, to announce his support for Crossrail 2 adds insult to injury and demonstrates that this Government has abandoned its commitment to the Northern Powerhouse;
- (c) is disappointed that research by Institute For Public Policy Research (IPPR) North shows Yorkshire and the Humber will get £190 per head of transport spending from 2016/17 onwards compared to £220 in the North East, £680 in the North West and £1,940 in London;
- (d) believes that investment in transport connections across the north of England is vital to the goal of rebalancing the economy and bringing more investment and jobs to the north;
- (e) further notes Transport for the North's independent research published in 2016 in the Northern Powerhouse Independent Economic Review which shows how new investments including 'HS3' could unlock up to £97 billion and create 850,000 new jobs by 2050;
- (f) notes that, to date, 85,000 people have signed a petition calling on the Government to boost transport spending in the north;
- (g) notes delays to the Hope Valley capacity scheme, which was due to commence in May 2017 for completion by September 2018;
- (h) calls upon the Transport Secretary to:-
 - (i) reverse the decision to scrap the electrification of the Midland Mainline;
 - (ii) approve the commencement of the Hope Valley capacity scheme;
 - (iii) pledge his immediate backing for the Northern Powerhouse Rail programme; and
 - (iv) give Transport for the North the same powers as those

enjoyed by Transport for London so that it can also raise private finance towards its own transport priorities; and

- (i) directs that a copy of this Motion be sent to the Secretary of State for Transport.

8. NOTICE OF MOTION REGARDING THE LABOUR PARTY'S POSITION ON "BREXIT" - GIVEN BY COUNCILLOR JACK CLARKSON AND TO BE SECONDED BY COUNCILLOR KEITH DAVIS

That this Council:-

- (a) (i) believes that the Labour Party, by changing its stance to adopt a soft "Brexit" as their party policy, will undermine "Brexit" talks, (ii) notes that the Labour Party now intends to keep Britain in the Single Market and continue with 'open door' EU immigration for at least four more years, which they claim is for an 'interim' period only, (iii) believes that this change of policy is rowing back on their previous Brexit position, especially after the Leader, the Rt. Hon. Jeremy Corbyn MP, stated that the UK had to leave the Single Market to fulfil the Brexit vote and (iv) further believes that many Labour voters will feel betrayed by the Party, due to it changing its stance on Brexit;
- (b) is concerned that Jeremy Corbyn has admitted that he has no idea as to how long the "interim" phase would last, meaning a risk that freedom of movement would carry on, contributions to the EU's budgets would continue, and EU judges' involvement in the UK would remain;
- (c) is appalled that the Shadow Secretary of State for Exiting the European Union, the Rt. Hon. Sir Keir Starmer, MP, has suggested that the Labour Party would leave the door open for staying in the Single Market, which this Council believes is in direct conflict with how the people of this country voted to leave the European Union;
- (d) believes that, in respecting the referendum result, the Labour Party adopted a Euro-sceptic position to leave the Single Market and the Customs Union, and further believes that this reversal and change in policy will disgust many of the Party's members; and
- (e) further believes that (i) the Labour Party has no vision whatsoever as to what Britain should look like outside the European Union, and whether they should leave or remain in the Single Market and (ii) that many of the Party's own MPs are mystified as to the Party's position, with continued internal wrangling and disagreements between Jeremy Corbyn and its grass roots members, which shows to the electorate that the Labour Party say one thing and then do another.

9. MEMBERS' QUESTIONS

- 9.1 Questions relating to urgent business – Council Procedure Rule 16.6(ii).
- 9.2 Supplementary questions on written questions submitted at this meeting – Council Procedure Rule 16.4.
- 9.3 Questions on the discharge of the functions of the South Yorkshire Joint Authorities for Fire and Rescue and Pensions – Section 41 of the Local Government Act 1985 – Council Procedure Rule 16.6(i).

(NB. Minutes of recent meetings of the two South Yorkshire Joint Authorities have been made available to all Members of the Council via the following link -

<http://democracy.sheffield.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13165&path=0>)

10. ANNUAL SCRUTINY REPORT 2016-17

To receive the annual report providing an overview of scrutiny activity undertaken by each of the Scrutiny and Policy Development Committees during the 2016/17 Municipal Year, and proposed activity for 2017/18.

Councillor Chris Peace, Lead Member for Scrutiny, will introduce the report, to be followed by an opportunity for Members of the Council to ask questions or make observations on the contents of the report.

11. MINUTES OF PREVIOUS COUNCIL MEETING

To receive the minutes of the meeting of the Council held on 5th July 2017 and to approve their accuracy.

12. REPRESENTATION, DELEGATED AUTHORITY AND RELATED ISSUES

To consider any changes to the memberships and arrangements for meetings of Committees etc., delegated authority, and the appointment of representatives to serve on other bodies.

13. NOTICE OF MOTION REGARDING "THE IMPORTANCE OF CONSTITUTION" - GIVEN BY COUNCILLOR DOUGLAS JOHNSON AND TO BE SECONDED BY COUNCILLOR ALISON TEAL

That this Council:-

- (a) believes in the rule of law;
- (b) notes that the UK has a long and proud tradition of organising society on rules of law and not on arbitrary decree; and that constitutions and agreed rules of procedure are essential for

democracy to function;

- (c) notes the Review of Full Council Meetings Members Working Group has had several constructive meetings about improving the operation of Full Council, including through broadcasting, and will continue to work up options; and
- (d) believes, therefore, in the need to safeguard democracy by scrutinising proposed changes to the Council's own constitution very carefully and ensuring that any changes comply with the constitution itself.

14. NOTICE OF MOTION REGARDING "REVIEW OF STUDENT ACCOMMODATION" - GIVEN BY COUNCILLOR DOUGLAS JOHNSON AND TO BE SECONDED BY COUNCILLOR ROBERT MURPHY

That this Council:-

- (a) notes the report to Cabinet on 18 December 2013 on the Student Accommodation Strategy that warned of the risk that the provision of more purpose-built student accommodation will lead to over-supply and older blocks falling empty;
- (b) notes that the Council's planning policy CS41 on "Creating mixed communities" requires a mix of tenures and sizes in large blocks of student accommodation and seeks to avoid over-saturation of student accommodation;
- (c) however, notes that many recent planning applications for very large blocks of student accommodation have been passed even where not compliant with policy CS41; and
- (d) therefore calls on the Administration to carry out an urgent re-assessment of the supply of and demand for student accommodation.

Chief Executive

Dated this 29 day of August 2017

The next ordinary meeting of the Council will be held on 4 October 2017 at the Town Hall

Council

You are hereby summoned to attend a Meeting of the **Council of the City and County of Swansea** to be held in the Council Chamber, Guildhall, Swansea on Thursday, 28 September 2017 at 5.00 pm.

The following business is proposed to be transacted:

1. **Apologies for Absence.**
2. **Disclosures of Personal and Prejudicial Interests.**
www.swansea.gov.uk/disclosuresofinterests
3. **Minutes.** 1 - 9
To approve & sign the Minutes of the previous meeting(s) as a correct record.
4. **Written Responses to Questions asked at the Last Ordinary Meeting of Council.** 10 - 12
5. **Announcements of the Presiding Member.**
6. **Announcements of the Leader of the Council.**
7. **Public Questions.**
Questions must relate to matters on the open part of the Agenda of the meeting and will be dealt within a 10 minute period.
8. **Public Presentation - None.**
9. **Report of the Wales Audit Office – Audit of Financial Statements Report – City & County of Swansea.** 13 - 28
10. **Report of the Wales Audit Office – Audit of Financial Statements Report – City & County of Swansea Pension Fund.** 29 - 44
11. **Statement of Accounts 2016/17.** 45 - 46
12. **Treasury Management Annual Report 2016/17.** 47 - 66
13. **The First 100 Days and Beyond.** 67 - 78
14. **Appointment of Independent Member(s) to the Standards Committee.** 79 - 80

15. Membership of Committees.	81 - 82
16. Electoral Reform in Local Government in Wales (Questions 1-37 & 41-46) – Consultation Response.	83 - 91
17. Electoral Reform in Local Government in Wales (Questions 38-40) – Consultation Response.	92 - 94
18. Councillors' Questions.	95 - 102

Huw Evans

Huw Evans
Head of Democratic Services
Guildhall,
Swansea.

Wednesday, 20 September 2017

To: All Members of the Council

**Pennaeth Gwasanaethau Cwsmeriaid a Chorfforaethol/
Head of Corporate and Customer Services**
Trevor Coxon LLB (Hons) Birm Solicitor

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Eich Cyf/Your Ref
Ein Cyf/Our Ref
Dyddiad/Date Thursday, 21 September 2017
Gofynner am/Ask for Jane Johnson
Rhif Union/Direct Dial 01978 292236
Cyfnewid Testun/Text Relay 18001
E-bost/E-mail jane.johnson@wrexham.gov.uk

Dear Councillor

You are hereby summoned to attend a **Meeting** of the **WREXHAM COUNTY BOROUGH COUNCIL** to be held in the **COUNCIL CHAMBER, GUILDHALL** on **WEDNESDAY, 27 SEPTEMBER 2017** at **4.00 pm** to transact the business specified in the Agenda overleaf.

Yours faithfully

Head of Corporate and Customer Services

WEBCASTING NOTICE

This meeting will be filmed for live and subsequent broadcast on the Council's website or may be used for training purposes within the Council. The whole of the meeting will be filmed, except those items which are deemed to be exempt by virtue of Part 4 of Schedule 12A to the Local Government Act 1972 (as amended). The footage will be retained on the Council's website for 6 months.

Generally the public seating areas are not filmed. However, by entering the Chamber you are consenting to being filmed and to the possible use of those images and any sound recordings for webcasting and/or training purposes. Parents or guardians accompanying a minor aged 16 years or younger are also deemed to have given consent to the possible capture of their image.

If you have any queries regarding this, please contact the Committee Manager on 292236.

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.*

*We welcome correspondence in Welsh.
We will respond to any correspondence in Welsh and this will not lead to any delay.*

A G E N D A

- 1 **To answer any public questions or receive public statements or petitions under Standing Orders 10 and 11 of the Council's Standing Orders**
- 2 **Apologies for Absence**
- 3 **Mayor's Announcements**
- 4 **Declarations of personal interests, if any**
Members are reminded of their responsibility, under Article 11 of the Members' Code of Conduct, to declare the existence and nature of any personal interest in respect of any of the business to be transacted at this meeting
- 5 **Confirmation of Minutes**
To confirm as a correct record the Minutes of the Annual Meeting of the County Borough Council held on 23 and 24 May 2017 (*Pages 5 - 20*)
- 6 **Minutes of the Executive Board and Committees**
To consider any issues raised by Members arising from the Minutes of the Executive Board, Scrutiny Committees and other Committees, together with any questions raised under Standing Order 9 of the Council's Standing Orders. For Members' assistance, attached is a list of the various meetings that have taken place since the last ordinary meeting of the Council for which Minutes have been approved and published on the Authority's website. Copies can be obtained, if required, via the Committee and Member Services Section. (*Pages 21 - 22*)
- 7 **Audit Committee - Annual Report 2016-17**
To consider the report of the Chair of the Audit Committee (*Pages 23 - 52*)
- 8 **Scrutiny Annual Report 2016/17**
To consider the report of the Scrutiny Champion (*Pages 53 - 74*)
- 9 **Members' Remuneration**
To consider the report of the Chair of the Democratic Services Committee (*Pages 75 - 80*)
- 10 **Application to Welsh Government for Consent to Continue the Lease of Two Properties to Betsi Cadwaladr University Health Board**
To consider the report of the Lead Member for Place - Housing (*Pages 81 - 86*)
- 11 **Recruitment to role of Chief Executive**
To consider the report of the Lead Member for Organisation – Finance, Performance, Health & Safety and Governance (*Pages 87 - 104*)
- 12 **WCBC Response to the Welsh Government's Consultation Document on "Electoral Reform in Local Government in Wales"**
To consider the report of the Lead Member for Organisation – Finance, Performance, Health & Safety and Governance (*Pages 105 - 118*)

- 13 **Review of the Constitution**
To consider the report of the Lead Member for Organisation – Finance, Performance, Health & Safety and Governance (*Pages 119 - 128*)
- 14 **Calendar of Meetings 2017/2018**
To consider the report of the Lead Member for Organisation – Finance, Performance, Health & Safety and Governance (*Pages 129 - 134*)
- 15 **Standards Committee - Community Council Representative**
To consider the report of the Monitoring Officer (*Pages 135 - 138*)

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POLITICAL COMPOSITION OF BENCHMARKED LOCAL AUTHORITIES (as at Oct 2017)

APPENDIX E

Council	Majority	Run by	Total	Con	Labour	Lib Dem	SNP	Plaid Cymru	UKIP	Green	Other	Vacant
Birmingham	LAB	LAB	120	29	79	9					1	
Bristol (Elected Mayor)	LAB	LAB	70	14	27	8				11		
Glasgow	NOC	SNP	85	8	31		39			7		
Leeds	LAB	LAB	99	19	60	9				3	8	
Liverpool (Elected Mayor)	LAB	LAB	90		78	4				4	2	2
Newport	LAB	LAB	50	12	31	2					5	
Nottingham	LAB	LAB	55	3	50						1	1
Sheffield	LAB	LAB	84		55	20			4	4		1
Swansea	LAB	LAB	72	8	46	2					9	
Wrexham	NOC	IND	52	9	12	2		3			26	

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WALES AUDIT OFFICE
SWYDDFA ARCHWILIO CYMRU

Archwilydd Cyffredinol Cymru
Auditor General for Wales

Overview and Scrutiny – Fit For the Future? – The City of Cardiff Council

Audit year: 2017-18

Date issued: September 2017

Document reference: 128A2017-18

DRAFT

This document has been prepared for the internal use of the City of Cardiff Council as part of work performed/to be performed in accordance with statutory functions.

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The section 45 Code sets out the practice in the handling of requests that is expected of public authorities, including consultation with relevant third parties. In relation to this document, the Auditor General for Wales, the Wales Audit Office and, where applicable, the appointed auditor are relevant third parties. Any enquiries regarding disclosure or re-use of this document should be sent to the Wales Audit Office at info.officer@audit.wales.

We welcome correspondence and telephone calls in Welsh and English. Corresponding in Welsh will not lead to delay. Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg a Saesneg. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

Mae'r ddogfen hon hefyd ar gael yn Gymraeg. This document is also available in Welsh.

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Project brief

Purpose and focus of the review

- 1 We will explore with councils how 'fit for the future' their scrutiny functions are. This will include considering how they are responding to current challenges, including the Well-being of Future Generations Act (WFG Act), in relation to their scrutiny activity, as well as how councils are beginning to undertake scrutiny of public service boards. We will examine how well placed councils are to respond to future challenges including continued pressure on public finances and the possible move towards more regional working between local authorities.
- 2 As part of this review we will also review the progress councils have made in addressing the recommendations of our earlier National Improvement Study **Good Scrutiny? Good Question**.¹ We will also follow up on any proposals for improvement relevant to scrutiny that we have issued in any subsequent local reports including those issued to councils as part of our 2016-17 thematic reviews of Savings Planning and Governance Arrangements for Determining Significant Service Changes.

Intended benefits

- 3 The intended benefits of undertaking this project are:
 - identification of approaches to embedding the sustainable development principle into scrutiny processes and practices to inform practice sharing and future work of the Auditor General in relation to the WFG Act;
 - providing assurance that scrutiny functions are well placed to respond to current and future challenges and expectations;
 - helping to embed effective scrutiny by elected members from the start of this new electoral cycle; and
 - providing insight into how well councils have responded to the findings of our previous Scrutiny Improvement Study.

Method

- 4 To inform our findings we will base our methodology around the Outcomes and Characteristics for Effective Local Government Overview and Scrutiny that were developed and agreed by scrutiny stakeholders in Wales following our previous Scrutiny Improvement Study.
- 5 We will initially undertake document reviews, interview a small number of key officers and run focus groups with key councillors to understand their views on the City of Cardiff Council's (the Council) current scrutiny arrangements and in

¹ **Good Scrutiny? Good Question! – Auditor General for Wales improvement study: Scrutiny in Local Government (May 2014)** available at www.audit.wales

particular how the Council intends to respond to the challenges identified above. We will also explore councils' approaches to PSB scrutiny as part of the interviews.

- 6 We will select scrutiny committee meetings to observe and review relevant documentation provided to members to support their scrutiny role, such as reports and presentations.
- 7 After we have reported our findings to each council we will consider how we can best work with other scrutiny stakeholders to share learning, for example through regional seminars.

Main review questions

Exhibit 1: main review questions

Is the Council's overview and scrutiny function well placed to respond to current and future challenges?
Level 2
Scrutiny environment Is the Council creating a supportive environment to enable scrutiny to operate effectively?
Scrutiny practice Is the operation of the scrutiny function well planned, efficient, objective and based on evidence from a range of sources?
Scrutiny impact Is overview and scrutiny activity contributing to improvements in performance and decision making?

Timetable

- 8 The table below sets out the proposed timeline for the review although timescales may vary depending on circumstances in individual councils. The specific timetable for undertaking the work will be discussed with our Council contacts as part of project set arrangements.

Exhibit 2: proposed timetable

Proposed timetable	
Project set-up meeting	September 2017
Fieldwork including meeting observations	October 2017–January 2018
Local report issued	March 2018
Regional seminars	April/May 2018 (exact date to be confirmed)

Interview and observation list

Exhibit 3: who we would like to interview as part of the review

Name	Job Title
Paul Orders	Interview with Chief Executive
Davina Fiore	Monitoring Officer
TBD	Head of Democratic Services
Gill Nurton	Committee and Member Services Manager
Nicola Newton	Principal Scrutiny Officer
TBD	PSB Co-ordinator or equivalent
Cllr Bridgeman Cllr McGarry Cllr Howells Cllr Patel Cllr Walker	Focus group with chairs of scrutiny committees
Cllr Thomas Cllr Merry Cllr Hinchey Cllr Michael Cllr Bradbury Cllr Weaver Cllr Thorne Cllr Goodway Cllr Ellsmore Cllr Wild	Focus group with Cabinet
TBD	Focus group with scrutiny committee members newly elected as members of the Council in 2017
TBD	Focus group with scrutiny committee members who were also elected members of the Council prior to the 2017 elections
Observations of relevant overview and scrutiny meetings	Between two and four meetings

Document request

Exhibit 4: documents we would like to request from the Council

Document title
Member induction programme and member attendance records
Scrutiny Support staff structure
Sample of reports or materials provided to members at informal 'scrutiny' meetings eg member seminars/workshops or task and finish groups (where applicable)
Minutes, reports and agendas of PSB Scrutiny Committee (or equivalent)
Council scrutiny improvement action plan (if applicable)
We will also access documents that councils have already shared with us in relation to the WFG Act including documents obtained as part of our 'Year One Commentary' work

Wales Audit Office contacts

Exhibit 5: Wales Audit Office contacts

Name	Contact details
Performance Audit Director	Huw Rees Huw.Rees@audit.wales
Performance Audit Manager	Non Jenkins Non.Jenkins@audit.wales
Performance Audit Manager	Sara-Jane Byrne Sara-Jane.Byrne@audit.wales
Performance Auditor	Allison Rees Allison.Rees@audit.wales
Performance Auditor	Ian Phillips Ian.Phillips@audit.wales

Appendix 1

Recommendations from Good Scrutiny? Good Question? Scrutiny Improvement Study

Exhibit 6: recommendations from **Good Scrutiny? Good Question? Scrutiny Improvement Study**

Recommendation	Responsible Partners
R1 Clarify the role of executive members and senior officers in contributing to scrutiny.	Councils, Welsh Government, Welsh Local Government Association
R2 Ensure that scrutiny members, and specifically scrutiny chairs, receive training and support to fully equip them with the skills required to undertake effective scrutiny.	Councils, Welsh Government, Welsh Local Government Association
R3 Further develop scrutiny forward work programming to: <ul style="list-style-type: none"> • provide a clear rationale for topic selection; • be more outcome focussed; • ensure that the method of scrutiny is best suited to the topic area and the outcome desired; and • align scrutiny programmes with the council's performance management, self-evaluation and improvement arrangements. 	Councils
R4 Ensure that scrutiny draws effectively on the work of audit, inspection and regulation and that its activities are complementary with the work of external review bodies.	Councils, Staff of the Wales Audit Office, CSSIW, Estyn
R5 Ensure that external review bodies take account of scrutiny work programmes and the outputs of scrutiny activity, where appropriate, in planning and delivering their work.	Staff of the Wales Audit Office, CSSIW, Estyn

Recommendation	Responsible Partners
R6 Ensure that the impact of scrutiny is properly evaluated and acted upon to improve the function's effectiveness; including following up on proposed actions and examining outcomes.	Councils, Welsh Government, Welsh Local Government Association
R7 Undertake regular self-evaluation of scrutiny utilising the 'outcomes and characteristics of effective local government overview and scrutiny' developed by the Wales Overview & Scrutiny Officers' Network.	Council
R8 Implement scrutiny improvement action plans developed from the Wales Audit Office improvement study.	Councils
R9 Adopt Participation Cymru's 10 Principles for Public Engagement in improving the way scrutiny engages with the public and stakeholders.	Councils

Appendix 2

Outcomes and characteristics for effective local government overview and scrutiny

Exhibit 7: outcomes and characteristics for effective local government overview and scrutiny

Outcomes	Characteristics
<p>What does good scrutiny seek to achieve?</p>	<p>What would it look like? How could we recognise it?</p>
<p>1. Democratic accountability drives improvement in public services. 'Better Services'</p>	<p>Environment</p> <ul style="list-style-type: none"> i) Scrutiny has a clearly defined and valued role in the council's improvement arrangements. ii) Scrutiny has the dedicated officer support it needs from officers who are able to undertake independent research effectively, and provide Scrutiny members with high-quality analysis, advice and training. <p>Practice</p> <ul style="list-style-type: none"> iii) Overview and Scrutiny inquiries are non-political, methodologically sound and incorporate a wide range of evidence and perspectives. <p>Impact</p> <ul style="list-style-type: none"> iv) Overview and scrutiny regularly engages in evidence based challenge of decision makers and service providers. v) Scrutiny provides viable and well evidenced solutions to recognised problems.
<p>2. Democratic decision making is accountable, inclusive and robust. 'Better decisions'</p>	<p>Environment</p> <ul style="list-style-type: none"> i) Scrutiny councillors have the training and development opportunities they need to undertake their role effectively. ii) The process receives effective support from the Council's Corporate Management Team which ensures that information provided to scrutiny is of high quality and is provided in a timely and consistent manner. <p>Practice</p> <ul style="list-style-type: none"> iii) Scrutiny is Member led and has 'ownership' of its work programme taking into account the views of the public, partners and regulators whilst balancing between prioritising community concerns against issues of strategic risk and importance. iv) Stakeholders have the ability to contribute to the development and delivery of scrutiny forward work programmes. v) Overview and scrutiny meetings and activities are well-planned, chaired effectively and make best use of the resources available to it. <p>Impact</p> <ul style="list-style-type: none"> vi) Non-executive Members provide an evidence based check and balance to Executive decision making. vii) Decision makers give public account for themselves at scrutiny committees for their portfolio responsibilities.
<p>What does good scrutiny seek to achieve?</p>	<p>What would it look like? How could we recognise it?</p>

Outcomes	Characteristics
<p>3. The public is engaged in democratic debate about the current and future delivery of public services.</p>	<p>Environment</p> <p>i) Scrutiny is recognised by the Executive and Corporate Management team as an important council mechanism for community engagement.</p> <p>Practice</p> <p>ii) Scrutiny is characterised by effective communication to raise awareness of, and encourage participation in democratic accountability.</p> <p>iii) Scrutiny operates non-politically and deals effectively with sensitive political issues, tension and conflict.</p> <p>iv) Scrutiny builds trust and good relationships with a wide variety of internal and external stakeholders.</p> <p>Impact</p> <p>v) Overview and scrutiny enables the 'voice' of local people and communities across the area to be heard as part of decision and policy-making processes.</p>

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REPORT OF THE DIRECTOR GOVERNANCE & LEGAL SERVICES

FORWARD WORK PLAN**Reason for this Report**

1. The Constitution Committee is requested to consider areas within its terms of reference it would wish to review and include in its Forward Work Plan for 2017/18.

Background

2. The Constitution Committee is responsible for reviewing the Council's Constitution, recommending any changes to Council and/or Cabinet. It has authority (subject to the Monitoring Officer's advice) to make the following changes on behalf of the Council:-
 - a) Drafting improvements to enhance clarity and remove minor anomalies.
 - b) Updating to reflect legislative changes and matters of record.
 - c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought).
3. The Forward Work Plan gives notice of, and transparency to, matters under review and for decision during the municipal year and reflects the Committees objective to improve and enhance governance of the Council; to have effective outcomes; and to ensure that it complies with legal obligations and identifies potential risks.
4. The Forward Work Plan needs to reflect the time commitment required for Committee Members and the resources available within the Council to meet the Committee's ambitions.

Issues

5. The main work stream for the Committee in 2017/18 is to develop improvements to aspects of the Constitution, in particular in relation to making Council meetings more effective, giving greater transparency to how decisions are made and the way the Council and its Officers function.
6. Attached, as **Appendix A** is the draft Forward Work Plan 2017 – 2018 for the Committee to review and refine.

Legal Implications

7. There are no direct legal implications arising from the content of this report.

Financial Implications

8. There are no direct financial implications arising from this report, provided the work can be met from within existing resources.

RECOMMENDATION

The Committee is recommended to consider the Forward Work Plan 2017/18, as set out in **Appendix A** and agree with the Director of Governance & Legal Services areas it wishes to review and prioritise.

Davina Fiore

Director of Governance & Legal Services and Monitoring Officer

17 October 2017

CC/DF/V0.2

Appendices

Appendix A – Constitution Committee Forward Work Plan 2017-2018

Background Papers

CONSTITUTION COMMITTEE – FORWARD PLAN 2017/18**APPENDIX A**

TOPIC	OBJECTIVE/OUTCOME	WHO IS RESPONSIBLE?	PRIORITY	REPORT TO COMMITTEE
(1) Council Meeting Procedure Rules	To review and consider suggested changes to the arrangements for meetings of full Council.	Director of Governance & Legal Services	High	October 2017 initial report Substantial changes to be formulated and submitted to full Council for approval prior to implementation in May 2018
(2) Council Petition Scheme	To consider the adoption of a Petition Scheme setting out how the Council shall respond to petitions.	Director of Governance & Legal Services	Medium	TBA
(3) All-Party Working Group/s	To consider the establishment of all-party working group/s to promote specific issues within the Councils corporate and service priorities	Director of Governance & Legal Services	Medium	Dealt with in report on this meeting agenda
(4) Contract Procedure Rules	To review and update the Contract Procedure Rules to reflect new legislation and to align with WLGA Model Rules and best practice	Section 151 Officer, Finance, Procurement and Legal Officers	Medium	Autumn 2017
(5) Recording/ Filming in Council meetings	To review the rules on recording of meetings to ensure they meet legal requirements and best practice	Director of Governance & Legal Services	Medium	TBA
(6) Ward Member Consultation Requirements	To enshrine ward Member consultation requirements within decision making procedures	Director of Governance and Legal Services	Medium	TBA

TOPIC	OBJECTIVE/OUTCOME	WHO IS RESPONSIBLE?	PRIORITY	REPORT TO COMMITTEE
(7) Responsibility for Air Quality Management Functions	To review the appropriate allocation of responsibility for this local choice function	Director Governance and Legal Services / Head of Shared Regulatory Service	Medium	First scheduled meeting after November 2017
(8) Code of Corporate Governance	To consider a draft Code of Corporate Governance (on recommendation of the Audit Committee)	Director of Governance and Legal Services / Corporate Director Resources	Medium	Early 2018 Aiming for approval by Council in March 2018

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